

WEDNESDAY, MARCH 24, 1982

EIGHTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Bobby Wood of Hamilton County.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives voting present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have

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transmitted to the Governor the following: House Bill Nos. 167, 388, 536, 1368, 1511, 1642, 1687, 1801, 1815, 1891, 1948, 2001, 2060, 2215, 2219, 2240 and 2251; and House Joint Resolutions Nos. 379, 389 and 390; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1165, 1503, 1573, 1620, 1748, 1749, 1812 and 1978; House Resolution No. 114; and House Joint Resolutions Nos. 314 and 384; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 160, 632, 1447, 1471, 1476, 1508, 1588, 1591, 1597, 1599, 1600, 1626, 1640, 1741, 1849, 1860, 1868, 1869, 1943, 1984, 2014, 2047, 2076, 2079, 2115, 2145 and 2148; also, Senate Joint Resolutions Nos. 228, 236 and 243; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1165, 1503, 1573, 1620, 1748, 1749, 1812 and 1978; House Resolution No. 114; House Joint Resolutions Nos. 314 and 384; Senate Bills Nos. 160, 632, 1447, 1471, 1476, 1508, 1588, 1591, 1597, 1599, 1600, 1626, 1640, 1741, 1849, 1860, 1868, 1869, 1943, 1984, 2014, 2047, 2076, 2079, 2115, 2145 and 2148; and Senate Joint Resolutions Nos. 228, 236 and 243.

CORRECTION TO JOURNAL

On March 3, 1982, (page 2334), House Bill No. 1409 was reported out of the Committee on Judiciary and referred to the Committee on Calendar and Rules. This is in error.

House Bill No. 1409 was reported out of the Committee on Judiciary and referred to the Committee on Finance, Ways and Means.

Mr. Frensley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 399 out of order, which motion prevailed.

House Joint Resolution No. 399--Relative to memory, Ken Young--By Frensley, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. Frensley moved that House Joint Resolution No. 399 be adopted, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

Mr. Gill moved that the 48-hour rule be suspended, which motion prevailed.

CALENDAR

House Bill No. 1882--To prohibit sales, uncertified tobacco seed.

On motion, House Bill No. 1882 was made to conform with Senate Bill No. 1996.

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On motion, Senate Bill No. 1996, on same subject, was substituted for House Bill No. 1882.

Mr. Pickering moved that Senate Bill No. 1996 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Joint Resolution No. 347--Relative to "Tennessee Hunting and Fishing Day."

Mr. Dills moved that House Joint Resolution No. 347 be adopted, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

Ms: Bell (Knox) moved that House Bill No. 2064 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

On motion, Senate Bill No. 1474 was recalled from the Committee on State and Local Government.

House Bill No. 1807--To amend conflict of interest law.

On motion, House Bill No. 1807 was made to conform with Senate Bill No. 1474.

On motion, Senate Bill No. 1474, on same subject, was substituted for House Bill No. 1807.

Mr. Phillips moved that Senate Bill No. 1474 be passed on third and final consideration.

Mr. Phillips moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1474 by deleting the following language from the amendatory language of Section 1:

Notwithstanding any other provision of the law to the contrary, and by substituting instead the following language:

Notwithstanding any other provision of this chapter to the contrary,

AND FURTHER AMEND by inserting the word "specifically" at the end of the amendatory language of Section 1 between the words "except as otherwise" and "prohibited by law".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1474, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray,

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Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative present and not voting was: Tanner--1.

A motion to reconsider was tabled.

House Bill No. 1847--To change fee paid sheriff's concerning delinquent tax matters.

On motion, House Bill No. 1847 was made to conform with Senate Bill No. 1816.

On motion, Senate Bill No. 1816, on same subject, was substituted for House Bill No. 1847.

Mr. Wood moved that Senate Bill No. 1816 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Craia, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 2056--To make certain provisions, parking authorities.

Mr. Miller moved that House Bill No. 2056 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 2045--To amend Drug Control Act.

Mr. McKinney moved that House Bill No. 2045 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	80
Noes	15
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Spence, Stallings, Starnes, Tanner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--80.

Representatives voting no were: Chiles, Davis (Pickett), Duer, Ford, Frensley, Henry (Blount), Henry (Roane), Huskey, McNally, Smith, Stafford, Sterling, Turner, Ussery and Wolfe--15.

Representatives present and not voting were: Duncan and Small--2.

A motion to reconsider was tabled.

House Bill No. 1900--To make certain provisions, taxation laws.

Mr. Rhinehart moved that House Bill No. 1900 be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 86
Noes 9

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Gaia, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--86.

Representatives voting no were: Chiles, Duer, Ford, Harrill, Huskey, Scruggs, Shockley, Stafford and Wolfe--9.

A motion to reconsider was tabled.

House Bill No. 1902--To vest certain jurisdiction, Board of Claims.

On motion, House Bill No. 1902 was made to conform with Senate Bill No. 2002.

On motion, Senate Bill No. 2002, on same subject, was substituted for House Bill No. 1902.

Mr. Rhinehart moved that Senate Bill No. 2002 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

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A motion to reconsider was tabled.

House Bill No. 2205--To make certain provisions, medical assistance.

Mr. Buck moved that House Bill No. 2205 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2205 by deleting the word "may" in the fourth line of paragraph (d) of Section 1, and by substituting instead the word "shall" and by inserting between the words "months" and "in accordance" in the sixth line of said paragraph the following:

"from the date of application if permitted by federal regulations or otherwise from the date of transfer";

AND FURTHER AMEND by adding a new paragraph (e) to Section 1 to read as follows:

(e) In any case when the uncompensated value of disposed of resources is \$12,000 or less, the department of public health, in cooperation with the department of human services, shall by regulation establish a period of ineligibility of not less than 6 months nor more than 24 months from the date of application if permitted by federal regulations or otherwise from the date of transfer in accordance with the provisions of Title XIX of the Social Security Act.

AND FURTHER AMEND by adding the following paragraphs:

(f) In the event that any resource, or interest therein, is given away or sold for less than fair market value by a person holding a power of attorney by the owner of the resource or interest such resource or interest shall not be counted as a resource to the owner of the property pursuant to paragraphs (a) through (e) of this Section under the following circumstances:

(1) The power of attorney was not executed for the purpose of establishing or continuing Medicaid eligibility;

(2) The owner of the property has, at the time of the transfer, neither actual nor constructive knowledge of the transfer or is unable because of mental or physical incapacity to take reasonable and necessary steps to prevent such sale or transfer.

(g) If any resource or interest therein is given away or sold for less than fair market value by a person holding a power of attorney by the owner of such resource the sale or gift shall

be set aside by a court of competent jurisdiction as being in defraud of the state upon motion of the State of Tennessee or of any party representing the owner of the resource unless the person holding the power of attorney proves by a preponderance of the evidence that the sale or gift was exclusively for some other purpose than the establishment or continuance of Medicaid eligibility.

(h) In addition to the requirements of Paragraph (g) the person exercising the power of attorney and the person to whom the resource is given or sold for less than fair market value shall be jointly and severally liable to the State of Tennessee for any costs incurred by it in providing Medicaid benefits to the owner of the resource until such time as the conveyance is set aside, for any costs, including attorney fees, court costs, and any other related expenses, incurred by it in having the conveyance set aside, and for any losses incurred as a result of any damage, destruction, expenditure, waste, transfer of the resources or other act of the persons involved which diminishes the value of the resource. Provided however, that such liability shall be limited to the actual value of the resource.

(i) In the event that a person otherwise eligible for Medicaid has filed an action in court to set aside a transfer for less than value because of fraud, duress, trick or otherwise, such person shall be and/or remain eligible and the State of Tennessee shall have recourse under Subsections (g) and (h) to set aside the transfer and recover.

AND FURTHER AMEND by deleting the existing language in Section 2 and substituting instead the following:

SECTION 2. This Act shall take effect upon passage, the public welfare requiring it. Provided further that nothing contained in this Act shall be construed to invalidate any eligibility determination made on or after July 1, 1981, in accordance with Public Chapter 315 of the Public Acts of 1981 and the regulations promulgated pursuant thereto.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2205, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley,

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Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

Mr. Moore moved that House Bill No. 2247 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

House Bill No. 1739--General Appropriations Bill.

Mr. Henry (Blount) moved that House Bill No. 1739 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1739 by deleting each and every section of senate Bill 1926 and substituting instead new sections 1 through 48, namely:

Sections 1 through 48 of House Bill No. 1739 as introduced on February 4, 1982; printed and distributed as Senate Bill No. 1926; and considered to be part of this amendment.

On motion, the amendment was withdrawn.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1739 by deleting from Section 39 the fifth paragraph in its entirety and substituting the following:

All salaries and wages of other educational institutions shall be approved by the Commissioner of Personnel. No salary of any officer, agent or employee shall be supplemented in any way or in any manner whatsoever. Except as otherwise provided by law and with the appropriation made in this act, state employees' compensation and benefits shall be adjusted in accordance with the following requirements and/or limitations:

- (a) Effective July 1, 1982 the salary step in the state's basic compensation plan, the executive compensation plan, and the physicians' and dentists' compensation plan shall be increased by three percent (3%).

(b) On July 1, 1982 each state employee who has at least one year's service and who has performed satisfactory work during the preceding year shall receive a one-step pay raise. Employees with less than one year's service shall receive a one-step pay raise effective in the month following the completion of one year's service. A one-step raise for employees in the executive branch who are under the jurisdiction of the Department of Personnel shall be the increment from one rate to the next in the appropriate classification-compensation plan. An employee will be assumed to be performing satisfactory work, under the terms of this section, and shall be considered for a one-step salary increase when eligible, provided that if such increase is denied, a statement from the department or agency head detailing the circumstances surrounding the denial be sent to the affected employee. The employee shall then have the opportunity to respond either orally or in writing to the department or agency head. If the denial is sustained by the department or agency head, such letter must be filed with the Commissioner of Personal.

The Department of Personnel and the Department of Finance and Administration shall report monthly to the Senate and House Finance, Ways and Means Committees and the Fiscal Review Committee on bona fide employee promotions, showing clearly by department the names and the increases in pay as a result of such promotions.

Such report shall also include employee transfers, dismissals, terminations, demotions, separations, and position abolishments showing clearly by department the names and titles of the employees affected, and such employees' position subsequent to such actions. Such report shall be furnished to the Speaker of the House and the Speaker of the Senate and to any other member of the General Assembly upon such member's request. Such report shall be furnished monthly.

AND FURTHER AMEND by adding the following new items to the appropriate section to be appropriately numbered and to read as follows:

Item ___. The Commissioners of Finance and Administration and Personnel are directed to develop a plan for the funding of the Well Pay program authorized by Public Chapter 446 of 1981. The plan required by this section shall fund the Well Pay program from realized savings, in each fiscal year, which accrue as a result of the program. If such a plan cannot be practically implemented, the Commissioner of Finance and Administration shall make appropriate budgetary adjustments to fund the program for the 1982-83 fiscal year and together with the Commissioner of Personnel shall recommend such legislative changes to the Well

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Pay program as are required to produce sufficient savings to fund the program.

Item _____. From the appropriations made to the State Board of Regents and the University of Tennessee, there is hereby appropriated a sum sufficient to fund payments required for the Well Pay program. This appropriation is subject to the approval of the State Board of Regents and the Board of Trustees of the University of Tennessee.

AND FURTHER AMEND by adding a new item to be appropriately numbered and added to the appropriate section to read as follows:

Item _____. (a) In addition to all other sums appropriated in this Act there is appropriated the sum of \$3,657,100 to the Tennessee Foundation Program for the purpose of providing the training and experience increment for all teachers compensated under the Tennessee Foundation Program.

(b) The State Board of Education is directed to adjust the 1982-83 minimum state salary schedule as established by the State Board of Education by seven percent (7%) in each step above the 1981-82 minimum state salary schedule.

AND FURTHER AMEND by deleting from Item 26 of Section 1 the following words and figures:

"4. Amortization of Authorized and
Unissued Bonds..... 29,461,000.00"

and by substituting in lieu thereof the following words and figures:

"4. Amortization of Authorized and
Unissued Bonds..... 21,961,000.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

"Item _____. In addition to any other appropriation made in this act, there is hereby appropriated an amount of one million dollars (\$1,000,000) to the State Building Commission for preplanning capital projects as determined by the State Building Commission. Provided, however, the State Building Commission shall not authorize preplanning for any capital project for the various institutions of higher education which conflicts with the priority order of recommendations made by the Tennessee Higher Education Commission for the 1982-83 fiscal year.

AND FURTHER AMEND by deleting from Item 24 of Section 1 the following words and figures:

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"1.	State Building Commission.....	\$ 1,000,000.00
2.	Department of Agriculture.....	50,000.00
3.	Department of Conservation.....	432,000.00
4.	Department of Correction.....	1,749,000.00
5.	Department of Education.....	70,000.00
6.	Department of Mental Health and Mental Retardation.....	595,000.00
7.	Department of Military.....	290,000.00
8.	Department of Public Health.....	500,000.00
9.	Obion-Forked Deer Basin Authority..	1,000,000.00
10.	University of Tennessee System.....	1,815,000.00
11.	State Board of Regents System.....	1,490,000.00
12.	State Technical Institutes.....	663,000.00
	Total Title III-24.....	\$ 9,654,000.00

and by substituting in lieu thereof the following words and figures:

"1.	State Building Commission.....	\$ 300,000.00
2.	Department of Agriculture.....	50,000.00
3.	Department of Conservation.....	450,000.00
4.	Department of Correction.....	340,000.00
5.	Department of Education.....	178,000.00
6.	Department of Mental Health and Mental Retardation.....	1,345,000.00
7.	Department of military.....	500,000.00
8.	Department of Public Health.....	150,000.00
9.	State Board of Regents.....	3,306,000.00
10.	University of Tennessee.....	2,476,000.00
11.	State Technical Institutes.....	263,000.00
	Total Title III-24.....	\$ 9,358,000.00

AND FURTHER AMEND by deleting from Item 24 of Section 1 the second paragraph in its entirety and substituting in lieu thereof the following:

"Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are designated as Capital Maintenance and 504 Compliance (Handicapped) in the State of Tennessee's 1982-83 Budget Document and any additional projects contained in the appropriations act as passed on third and final reading; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Title 4, Chapter 15, Sections 4-15-101 et seq., Tennessee Code Annotated."

AND FURTHER AMEND by deleting from Title III-4 of Section 1 the following words and figures:

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"1. Administration and Travel Promotion \$ 2,360,700.00"

and by substituting in lieu thereof the following words and figures:

"1. Administration and Travel Promotion \$ 2,056,500.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

"Item _____. In addition to any other appropriation made in this Act, there is hereby appropriated to the Department of Tourist Development an amount not to exceed one hundred thirty-five thousand dollars (\$135,000.00) for the sole purpose of permitting the State of Tennessee to match local funds to nonprofit tourist promotional organizations in the nine planning regions in Tennessee as authorized by Tennessee Code Annotated, Section 11-25-105; each such organization shall meet the criteria for funding as established by the Commissioner of Tourist Development. Said fund, one dollar of state funds per dollar of local funds to a maximum of fifteen thousand dollars (\$15,000) to each regional organization, shall be contributed only upon recommendation of the Commissioner of Tourist Development."

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

In addition to the appropriations made in Section 1 of this act for the Tennessee Foundation Program, there is hereby appropriated \$4,451,500. for the sole purpose of increasing the distribution of funds to local school systems for the Comprehensive Vocational Education Program on a weighted factor of .88 for the 1982-83 fiscal year.

AND FURTHER AMEND by deleting from Title III-5 of Section 1 the following words and figures:

"7.	Division of Parks.....	9,412,100.00
10.	Facilities Management.....	2,072,200.00"

and by substituting in lieu thereof the following words and figures:

"7.	Division of Parks.....	8,744,200.00
10.	Facilities Management.....	1,152,200.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by deleting from Title III-8 of Section 1 the following words and figures:

"1.	Division of Administration and Support Services.....	\$ 1,148,100.00
6.	Industrial Training Service.....	3,804,700.00"

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and by substituting in lieu thereof the following words and figures:

"1.	Division of Administration and Support Services.....	\$ 948,100.00
6.	Industrial Training Service.....	3,604,700.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by adding a new item to the appropriate section to be numbered appropriately and to read as follows:

"Item _____. In addition to appropriations made in Section 1 of this act to the Tennessee Foundation Program, there is hereby appropriated \$800,000 for the sole purpose of increasing the distribution of funds to local school systems for Special Education for the 1982-83 fiscal year."

AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"1.4	Improvement of Basic Skills.....	1,785,000.00"
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and by substituting in lieu thereof the following:

"1.4	Improvement of Basic Skills.....	1,000,000.00"
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AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"c.	Adult Basic Education.....	596,100.00"
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and by substituting in lieu thereof the following:

"c.	Adult Basic Education.....	306,000.00"
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and by changing the resultant totals accordingly.

AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"7.	Educators' Liability Insurance.....	\$ 125,000.00
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and by changing the resultant totals accordingly.

AND FURTHER AMEND by deleting from Title III-16 of Section 1 the following words and figures:

"2.1	Administration.....	732,800.00
2.5	Solid Waste Management.....	1,889,900.00"

and by substituting in lieu thereof the following words and figures:

"2.1	Administration.....	586,600.00
2.5	Solid Waste Management.....	1,839,900.00"

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and by changing the resultant totals accordingly.

AND FURTHER AMEND by deleting from Title III-20 of Section 1 the following words and figures:

"3. Division of Highway Patrol..... 18,234,200.00"

and by substituting in lieu thereof the following words and figures:

"3. Division of Highway Patrol..... 17,881,700.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by deleting from Title III-21 of Section 1 the following words and figures:

"1.10 Family Courts..... 1,000,000.00"

and by changing the resulting totals accordingly.

AND FURTHER AMEND by adding a new item to the appropriate section to be numbered appropriately and to read as follows:

"Item _____. From state funds made available to the Department of Transportation for fiscal years 1981-82 and 1982-83 there is hereby earmarked an amount of \$20,000,000 to be used exclusively for a county bridge replacement program. The commissioner of the department of transportation shall have supervision and charge of the county bridge replacement program. The commissioner of transportation shall allocate this \$20,000,000 in the various counties of the state and expend this \$20,000,000 in the various counties of this state by the same formula upon which the two cent (2¢) gasoline tax is at the present time allocated to the various counties: provided, however, that no sums shall be obligated and/or expended in any county by the commissioner for bridge replacements under this item unless such county has agreed to match such proposed expenditures in an amount equal to 20% of such proposed expenditures. In kind matching shall be allowed including any expenditures previously made by any county to remove any bridge from the federal deficiency bridge list. The eligibility of proposed county expenditures for matching purposes under this item shall be determined by the commissioner of the department of transportation. Any sums proposed to be expended under this item and not matched shall be made available to other counties and shall be allocated to such other counties by the same formula upon which the two cent (2¢) gasoline tax is at the present time allocated to the various counties."

AND FURTHER AMEND:

(1) by adding the following new items to the appropriate section to read as follows:

(a) Item _____. In addition to any other appropriation made in this act, there is hereby appropriated four hundred eighty-one thousand dollars (\$481,000) to the department of revenue for the purpose of employing twenty-seven (27) additional auditors and support staff to aid in the administration of the Excise Tax Law, the Franchise Tax Law, and the Retailer's Sales Tax Act so as to prevent any substantial erosion of tax collections in these areas due to a lack of adequate personnel to properly assess and collect these taxes. Such appropriation shall be allocated as follows:

(1) Sales Tax Division - \$364,300 for the employment of twenty-one (21) persons with the necessary expenses attendant to their employment.

(2) Franchise, Excise and Income Tax Division - \$116,700 for the employment of six (6) persons with the necessary expenses attendant to their employment.

The department of revenue is hereby directed to report to the Finance Ways and Means Committees of the House and the Senate an accounting of additional revenues generated pursuant to this item. Such reports are to be made on a quarterly basis.

(b) Item _____. In addition to any funds appropriated by the provisions of this act, there is hereby appropriated an amount of \$250,000.00 to the University of Tennessee Agricultural Extension Service for the purpose of enabling the continuation of current levels of services.

(c) Item _____. In addition to any other appropriations herein, there is hereby appropriated \$100,000 to the Tennessee Higher Education Commission for the sole purpose of contracting with the Joint Institute for Heavy Ion Research at Oak Ridge, Tennessee, for research.

(d) Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the department of education for the alternative vocational program in which juveniles live at home and receive counseling, academic and vocational training as an alternative to institutionalization.

(e) Item _____. In addition to any other appropriation made by the provisions of this act, there is hereby appropriated eighteen thousand five hundred dollars (\$18,500) to the Tennessee Children's Services Commission for the sole purpose of funding a social worker position and related costs so that the Commission may adequately address the needs of children in the state.

(f) Item _____. From the unencumbered appropriation for FY 1981-82 to the AFDC program there are hereby earmarked the following amounts for the following purposes:

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1. To the AFDC program, in addition to the funds already provided the amount of \$500,000.00 for the purpose of first adjusting the AFDC standard of need and then increasing grants; and

2. To the foster care board and care contributions in addition to the other funds provided the amount of \$1,391,700.00 to increase board and care contributions to foster families;

(2) by deleting Section 1, Title III-16, item 3.3 which reads as follows:

"3.3 Maternal and Children Health Services ..5,823,800"

and by substituting instead the following:

"3.3 Maternal and Children Health Services ..6,823,800"

and by adjusting all totals and subtotals accordingly; and

(3) All expenditures in items (1) and (2) of this amendment with the exception of funds appropriated for auditors and support staff in the Department of Revenue shall be deferred until January 1, 1983, pending receipt of the first two quarterly reports of revenue generated pursuant to this amendment. It is the legislative intent that these appropriations be expended if the additional audit positions produce additional revenue sufficient to fund them.

AND FURTHER AMEND by adding the following new items at the end of Section 11:

Item _____. From the funds appropriated in Section 1, Title III-16, item 3.3 for pre-natal care, there is allocated the sum of one million dollars (\$1,000,000) for crippled children's services and such sum is hereby transferred to Section 1, Title III-16, item 3.4

Item _____. No impoundment or set aside of funds shall be made from funds appropriated in Section I, Title III-9, Title III-10, without the prior concurrence of the Senate and House Finance, Ways and Means Committees.

Item _____. No State employee shall be temporarily reassigned from his permanent duty station to work at or in conjunction with the World's Fair in Knoxville, Tennessee, and be housed in State facilities and thereby preclude him from receiving reimbursement for travel expenses in accordance with the Comprehensive Travel regulations promulgated by the Department of Finance and Administration.

Item _____. Notwithstanding any provision of the law or this act to the contrary, no funds appropriated by the provisions of

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this act shall be obligated or expended to develop, implement or purchase in any form liability insurance for educators.

Item ___. Notwithstanding any provision of this act to the contrary, from the Alcohol/Drug Abuse and Mental Health block grant appropriated to the department of mental health and mental retardation, there is allocated the sum of twenty thousand dollars (\$20,000) for the purpose of contracting with the Lincoln County Adult Activities Center, Inc. to provide services for adult retarded citizens.

Item ___. The sum of one hundred forty-six thousand six hundred dollars (\$146,600) appropriated to the department of general services in Section 1, Title III-2, item 6.5 for upgrading management information systems which was originally appropriated in fiscal year 1981-1982 as an improvement item shall be considered to be a one-time expenditure in fiscal year 1982-1983 for such purpose and shall not become part of the continuation budget of such department.

Item ___. From the funds available to the State Building Commission, there is allocated the sum of seventy-five thousand dollars (\$75,000) for the purpose of pre-planning campus expansion at Motlow State Community College.

Item ___. It is the legislative intent that the unexpended balance of the appropriation authorized in Section 12, Item 26 of Chapter 503, Public Acts of 1981 for the Tennessee Comprehensive Education Study shall not revert to the general fund on June 30, 1982, but is hereby reappropriated in the fiscal year beginning July 1, 1982.

Item ___. From the funds appropriated to the Tennessee Energy Authority, there is appropriated the sum of twenty-two thousand one hundred fifty-one dollars (\$22,151) for the purpose of paying Tennessee's dues to the southern states energy board pursuant to the provisions of the southern states nuclear compact, Tennessee Code Annotated, Title 53, Chapter 35.

Item ___. The balance of the funds appropriated in item 26 of Section 11 of Chapter 435 of the Public Acts of 1979 shall not revert on June 30, 1982, but are hereby reappropriated and shall remain available for the purpose for which originally appropriated. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. Notwithstanding any other provisions of this act or law to the contrary the Department of Public Health shall develop and implement a plan for the use of increased pre-natal funds which primarily benefits low-income expectant mothers. Such plan shall include maximum utilization of medicaid reimbursement, special reimbursement categories for services to increase provider participation, eligibility for very low-income

two parent households, early coverage for first time expectant mothers, and such other elements as the Department deems necessary to fulfill the purpose set out above.

Item ___. From the Tennessee Wildlife Resources Agency reserve, there is appropriated an amount of \$20,000 to continue the educational and information extension service program for children and/or young adults.

Item ___. Subject to SB 2163/HB 2014 becoming law, there is hereby earmarked from the State Board of Equalization loan fund \$210,000 to carry out the provisions of SB 2163/HB 2014.

Item ___. From the funds appropriated to the Obion-Forked Deer Basin Authority, there is hereby allocated an amount not to exceed fifty thousand dollars (\$50,000) for the purpose of conducting dragging, dredging, and snagging operations of those parts of the Hatchie River for which 404 permits have been obtained to permit snagging.

Item ___. From the funds available to the state building commission, there is allocated the sum of one hundred fifty thousand dollars (\$150,000) for preplanning highway 61 in Shelby County from the southern boundary of Interstate-40 to the Mississippi-Tennessee state line. The appropriation made in this item is subject to the approval of the commissioner of transportation.

Item ___. No funds appropriated or authorized by the provisions of this act shall be expended to erect any sign, plaque or other marker until all signs, plaques, or other markers authorized by the provisions of Chapter 503 of the Public Acts of 1981 have been erected.

Item ___. Notwithstanding any other provision to the contrary, Medicaid funds for inpatient psychiatric services to persons under twenty-one (21) years of age shall be available only on behalf of persons certified by a community mental health center as in need of inpatient care.

Item ___. The department of education shall require, as a condition of the receipt of state education funds under this act in the four (4) major metropolitan areas of the state that local school systems which can do so without the expenditure of state or local school funds implement a program of school breakfast for disadvantaged children. Nothing in this item shall be construed to prevent any school system from using state or local funds to supplement such a program.

Item ___. From the funds appropriated elsewhere in this act to the Department of Transportation, there shall be allocated the sum of fifty thousand dollars (\$50,000.00) for the sole purpose of grading and paving the industrial road within the new

industrial park in the town of Springfield. the appropriation made in this item is subject to the approval of the commissioner of transportation.

Item ___. The unexpended funds appropriated for legislative computer services by the provisions of items 16 and 17 of Section 12 of Chapter 503 of the Public Acts of 1981 shall not revert to the general fund on June 30, 1982 but shall remain available for the purposes appropriated for expenditure in accordance with such provisions of such act.

Item ___. The University of Tennessee at Chattanooga and/or the Board of Trustees of the University of Tennessee are authorized to enter into an agreement or agreements with the Department of Transportation to pave certain parking lots on the campus of the University of Tennessee at Chattanooga.

Item ___. any personal services, professional services or consultant services contracts concerning management services of all types, management studies, planning services, public relations, evaluations, systems designs, data processing, auditing or accounting services entered into by an executive department or agency of state government shall be executed by the head of such department or agency and shall be subject to the approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury. No funds appropriated under this act to a department or agency shall be used for such contracts unless such approval is received or as otherwise authorized by the approving officials. Any such contract entered into by agencies of the legislative or judicial branches shall be subject to the approval of the Comptroller of the Treasury.

Item ___. The maximum obligation to the state for the first year of any contract entered into pursuant to HB 140, SB 222 (Chapter ___, Public Acts of 1982) shall not exceed \$19,565,000, or the actual total requirements for the Lakeshore Mental Health Institute for fiscal year 1981-1982, whichever is less.

Item ___. From the amounts held in reserve for the use of the Fiscal Review Committee, there is hereby appropriated an amount not to exceed \$20,000 for the purchase of technical expertise relating to changes in federal funding and federal programs.

Item ___. Notwithstanding any other provision of this act to the contrary, no obligation and/or expenditure of funds appropriated to any agency for other improvements as shown on page 8 of The Budget 1982-83 shall be made prior to September 30, 1982 unless such funds must be obligated and/or expended prior to September 30, 1982 in accordance with general law. After September 30, 1982 such funds appropriated but not obligated or expended may be obligated and/or expended only after written notification of the nature and extent of such proposed

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obligations and/or expenditures is made by the Commissioner of Finance and Administration to the Chairmen of the Senate and House Finance Ways and Means Committees and a hearing on such proposed obligations and/or expenditures is held by the two committees.

Item ___. No funds appropriated by this Act shall be obligated and/or expended for any newsletter, periodical, or other material which is to be distributed to all, or substantially all, state employees (excluding higher education) until the agency head proposing to make such distribution contacts the two Speakers and makes available equal space for legislative information in such newsletter, periodical, or other material. This item shall not apply to policy and/or procedural directives.

AND FURTHER AMEND by adding the following new items at the end of Section 12:

Item ___. There is hereby appropriated the sum of twenty thousand dollars (\$20,000) to the Commission for Human Development which sum shall be in addition to all other appropriations made to the Commission for Human Development and which sum shall be used to continue the Technical Assistance Section.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500.00) to each of the following agencies: Elk River Development Agency, Upper Duck River Development Agency, Sequatchie Development Agency, and Beech River Development Authority. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee council for the hearing impaired. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) for the sole purpose of providing loans to counties pursuant to voting machine loan agreements in accordance with the provisions of Tennessee Code Annotated, Title 2, Chapter 9, Part 1.

Item ___. The Board of Claims, notwithstanding the statute of limitations, or other provisions of general law, is hereby directed to reimburse Vinson F. Thompson, Obion, Tennessee the sum of two thousand three hundred two dollars (\$2,302)

representing a judgment and the interest thereon, rendered against him in Federal Court actions arising out of his duties as Warden of the Tennessee State Prison.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Memphis and Shelby County Public Library and Information Center the sum of eighteen thousand eight hundred nine dollars (\$18,809) for the purpose of establishing and maintaining a collection of state government publications. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. There is hereby appropriated the sum of one hundred sixty-six thousand six hundred and sixty-seven dollars (\$166,667) to the state funding board, in addition to all other appropriations made to that board. This sum is for the purpose of paying the estimated first year's payment of interest and principal on the general obligation bonds authorized by Senate Bill 1578/House Bill 1444, and shall take effect only if such bills are enacted into law.

Item ___. In addition to the other appropriations made in this act, there is hereby appropriated to the Division of Regional Libraries, an amount of \$750,000 to be used to give statewide assistance to all 95 counties in providing special library services to elderly and disadvantaged citizens.

Item ___. There is hereby appropriated the sum of forty thousand dollars (\$40,000) to the city of Luttrell for the purpose of enabling the city to restore and refurbish a portion of a presently owned city building which is to be used to provide a permanent facility for housing the Clinch-Powell Regional Library. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of conservation for the sole purpose of making general improvements at T. O. Fuller State Park. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Tennessee State University for the sole purpose of funding the Institute for African Affairs.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Roane State Community College for the sole purpose of funding the dietetic technology program. The

appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item___. In addition to other appropriations made in this Act, there is hereby appropriated to the Department of State \$25,000 to be used to implement the provisions of the Uniform Limited Partnership Act (Senate Bill 716-House Bill 819). This appropriation is to be allocated \$13,000 to salaries and benefits to fund an additional position, and \$12,000 for other expenditures. This appropriation is contingent upon the passage of Senate Bill 716-House Bill 819.

Item___. In addition to other appropriations made in this Act, there is hereby appropriated to the Department of State \$16,300 for salaries and benefits to fund an additional position. This appropriation is contingent upon the passage of Senate Bill 1528 - House Bill 1463, or Senate Bill 1641 - House Bill 1961, or Senate Bill 1854 - House Bill 1609, or Senate Bill 1642.

Item___. In addition to other appropriations made in this Act, there is hereby appropriated to the Department of State an amount of \$41,600 to be used to implement the provisions of the Model Trademark Law (House Bill 1874 - Senate Bill 1942). This appropriation is to be allocated \$29,200 for salaries and benefits to fund two additional positions, and \$12,400 to other expenditures. This appropriation is contingent upon the passage of Senate Bill 1942 - House Bill 1874.

Item___. In addition to any funds that may be appropriated else where within this act, there is hereby appropriated the sum of one hundred fifty thousand dollars (\$150,000.00) to the Tennessee Student Assistance Corporation to be used by the corporation for the sole purpose of mitigating the effects of federal funding cutbacks upon needy college students within the state during fiscal year 1982-83. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred fifty thousand dollars (\$150,000) to the General Assembly for continuation of the legislative on-line bill status information system. The allocation and expenditure of the appropriation made in this item is subject to the approval of the Joint Legislative Services Committee.

Item___. In addition to any other appropriation made by the provisions of this act, there is hereby appropriated fifteen thousand dollars (\$15,000) to the Department of Human Services for the sole purpose of funding the Emergency Family Shelter programs in the Middle Tennessee region.

Item___. In addition to any other funds appropriated by the

provisions of this act, there is appropriated to the Tennessee Higher Education Commission the sum of Twenty-seven thousand five hundred dollars (\$27,500) for the purpose of continuing service of the Education Information Center.

Item ___. In addition to any funds appropriated by the provisions of this act, there is appropriated the sum of one hundred ninety-seven thousand nine hundred seventy-four dollars (\$197,974) to the Tennessee Energy Authority to employ three (3) engineers and clerical support staff for the purpose of conducting and expanding building energy management and conservation. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of conservation the sum of twenty-five thousand dollars (\$25,000) for the sole purpose of contracting with the Tennessee water resources research center at the University of Tennessee to conduct a study of water resources, use and law. Such funds may be expended by such center to contract with other colleges and universities and to match federal funds. The expenditure and allocation of funds appropriated in this item shall be subject to the approval of a task force composed of the director of the water resources division of the Tennessee department of conservation, the director of the division of water quality control of the bureau of environmental health services of the department of public health, the director of the Tennessee water resources research center at the University of Tennessee, a representative of the department of economic and community development designated by its commissioner, and a representative of the wildlife resources commission designated by its executive director.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed thirty thousand dollars (\$30,000) to the House of Representatives for the purpose of salary improvements. Said appropriation is to be subject to the approval of the Speaker of the House of Representatives.

Item ___. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of four thousand dollars (\$4,000) to the Joint Legislative Services Committee for the expenses of such committee.

Item ___. In addition to any other appropriations made in this Act, there is appropriated to the district attorneys general the sum of \$315,800.00 for the purpose of funding the salary adjustments made by the provisions of SB 1729, HB 1622.

Item ___. In addition to any other appropriation made in this act, there is hereby appropriated to the State Funding Board

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a sum sufficient to pay the first year's debt service on bonds authorized by HB 2069, SB 2136. This appropriation is effective only if HB 2069, SB 2136 is enacted into law.

Item _____. In addition to any funds that may be appropriated elsewhere within this act, there is hereby appropriated the sum of one hundred fifty thousand dollars (150,000.00) to the Department of Economic and Community Development, Office of Business Enterprise, for the sole purpose of developing and/or otherwise providing sources of capital for minority enterprise small business investment companies (i.e., mesbics) created in this state pursuant to authority contained in 15 United States Code, Section 681. The appropriation made in this item is subject to the approval of the state funding board and the commissioner of finance and administration.

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated a sum of \$40,008.00 to the Tennessee Advisory Commission on Intergovernmental Relations. This appropriation shall be funded as follows:

1. An amount of \$20,004.00 shall, before distributing to the counties any of the revenues mentioned in 57-3-306, be deducted at the rate of \$1,667.00 per month, and
2. An amount of \$20,004.00 shall, before distributing to incorporated municipalities from the sales tax allocated to incorporated municipalities, be deducted at the rate of \$1,667.00 per month.

AND FURTHER AMEND by deleting from Title I-3 of Section 1 the following words and figures:

"3. House of Representatives..... \$3,530,000.00"

and by substituting in lieu thereof the following words and figures:

"3. House of Representatives..... \$3,572,500.00"

AND FURTHER AMEND by deleting Title II of Section 1 in its entirety and by substituting instead the following:

II JUDICIAL

1.	Appellate and Trial Courts.....	\$11,887,300.00
2.	Supreme Court Buildings.....	415,000.00
3.	Indigent Defendants Counsel.....	2,390,700.00
4.	Verbatim Transcripts.....	1,209,000.00
5.	State Law Libraries.....	232,200.00
6.	Judicial Council and Conference....	89,800.00
7.	Judicial Committees.....	30,500.00
8.	Court System Administration.....	594,000.00

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9.	Appellate Court Clerks.....	325,900.00
10.	State Board of Law Examiners.....	161,100.00
	Total Title II.....	\$17,335,500.00

AND FURTHER AMEND by deleting from Item 4. in Title III-1 (Constitutional and Quasi-Judicial Offices) in Section 1 the language:

"4.4 Division of County Audit..... 1,886,300.00"

and substituting the language:

"4.4 Division of County Audit..... 1,941,900.00"

AND FURTHER AMEND by deleting from Item 4. in Title III-1 (Constitutional and Quasi-Judicial Offices) in Section 1 the language:

"Total Office of the Comptroller
of the Treasury..... \$17,327,100.00"

and substituting the language:

"Total Office of the Comptroller
of the Treasury..... \$17,382,700.00"

AND FURTHER AMEND by deleting from Title III-3 of Section 1 the following words and figures:

"8. Agriculture Fairs..... \$ 153,600.00"

And By substituting instead the following:

"8. Agricultural Fairs..... \$ 169,000.00"

And By adjusting all totals and subtotals accordingly.

AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"6. Jobs for High School Graduates..... \$ 300,000.00"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by inserting the following between the first and second sentences of the second paragraph of Section 4:

Notwithstanding any other provision of law to the contrary, any entity created by any branch of state government with the authority to collect fees or taxes imposed by such branch shall deposit all funds generated by such fees or taxes in the general fund of this state.

AND FURTHER AMEND by deleting from Item 10 of Section 11 the words and numerals "One Thousand Seventy (\$1,070.00) Dollars" and

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substituting in lieu the words and numerals "One Thousand One Hundred Forty-five (\$1,145.00) Dollars."

AND FURTHER AMEND by deleting the first paragraph of Section 23 in its entirety and by substituting the following:

Be it further enacted, That the Commissioner of Finance and Administration shall prepare and distribute to the members of the Senate and the House of Representatives and other appropriate state officials, not later than September 30, 1982, revised summaries of funding and personnel authorizations as are provided for in this act. The document required by this section shall be in the same format as the Budget Document and shall include a comparison of the final budget authorizations for funding and personnel for the 1981-82 fiscal year, the original budget recommendations for 1982-83 as presented in the Budget Document and the 1982-83 budget recommendations as revised by this act. It shall also include a comparison of the final estimates of revenue for 1981-82 with the actual collections and the estimates of revenue for 1982-83 as presented in the Budget Document and the estimates of revenue upon which final passage of this act is based, and a comparison of the Capital Outlay Program as presented in the Budget Document and as approved in this act and other legislation enacted during this session. The document required by this section shall not include the narrative statements and statistical data which are not required to clearly present the data outlined above.

Whenever, in the judgment of the Commissioner of Finance and Administration, the collections of revenue for 1982-83 upon which final passage of this act is based will not be met, he shall report the revisions of the estimates which he deems to be required and the actions which are to be taken to compensate for any short fall in revenue collections, to the Finance, Ways and Means Committees of the Senate and House of Representatives.

AND FURTHER AMEND by deleting in Section 20 the words and figures "Section 12-2-112(6)" and by substituting instead the words and figures "Section 12-2-112(7)".

AND FURTHER AMEND by deleting the words "Ninety-second General Assembly" in item 2. of Section 26 and by substituting instead the words "Ninety-third General Assembly".

AND FURTHER AMEND by deleting the words "convening of the Ninety-second General Assembly" in the next to last paragraph of Section 26 and by substituting instead the words "convening of the Ninety-third General Assembly".

AND FURTHER AMEND by deleting in the third paragraph of Section 36 the words and figures "Said sum of \$209,000.00" and substituting instead the words and figures "Said sum of \$337,420.00".

AND FURTHER AMEND by deleting in item 4. of Section 43 the words "Prevention Health block grant" and by substituting instead the words "Preventive Health block grant".

AND FURTHER AMEND by adding the following language as a new, appropriately-numbered section:

SECTION ____. BE IT FURTHER ENACTED, that on or before January 31 of each calendar year, the Center for Business and Economic Research of the University of Tennessee shall cause to be published a comprehensive report on the state's economy. Said report shall be based on projections from the Tennessee Econometric Model and such other information as the Center may deem appropriate. The report shall contain projections for ten years (beginning with the calendar year preceding the year in which the report is due) of the annual economic activity (level and percent change over prior year) for each of the state's major economic sectors; shall include ten-year projections of selected economic indicators, as specified by the State Funding Board; and shall also include a narrative description of the short-term and long-term prospects for economic and business activity in the state based on these indicators. Quarterly projections shall also be published if available.

Said report shall be distributed to the Governor and the other members of the State Funding Board. The State Funding Board shall report to the General Assembly as provided in Section 9-6-202, Tennessee Code Annotated.

The costs of receiving reports required by this section shall be paid out of funds appropriated to the State and Local Planning Office under Title III-2 of Section 1 of this Act.

Mr. Spence moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following item which appears on page 30 of such amendment:

"by deleting from Title III-9 of Section 1 the following words and figures:

6. Jobs for High School Graduates..... \$ 300,000.00

and by changing the resultant totals accordingly."

AND FURTHER AMEND by adding a new item to the appropriate section to read:

Item ____ . The plan for expenditures from the appropriation in Section 1, Title III-9, item 6; , Jobs for High School Graduates, is subject to approval by the Commissioner of Education and the Superintendent of the Memphis City School System.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

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Mr. Murphy (Davidson) moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 2 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the last item on Page 16 and substituting instead:

Item (). The department of education shall require as a condition of the receipt of state education funds under this act, that local school systems which can do so without the expenditure of state or local school funds implement a program of school breakfasts for disadvantaged children in those schools which meet the "severe need" criteria or are presently serving 40% (forty per cent) of the lunches in the school lunch program free or at a reduced price. Nothing in this item shall be construed to prevent any school system from using state or local funds to supplement such a program.

FURTHER AMEND by adding an item to read:

Item (). The department of education shall require as a condition of the receipt of state funds, that each local school system provide a nutritious meal for students.

Mr. Bragg moved that Amendment No. 2 to Amendment No. 2 be tabled, which motion prevailed.

Mr. Shockley moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 3 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following items which appear on pages 6 and 7 of such amendment:

"AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"1.4 Improvement of Basic Skills..... 1,785,000.00"

and by substituting in lieu thereof the following:

"1.4 Improvement of Basic Skills..... 1,000,000.00"

AND FURTHER AMEND by deleting from Title III-9 of Section 1 the following words and figures:

"c. Adult Basic Education..... 596,100.00"

and by substituting in lieu thereof the following:

"c. Adult Basic Education..... 306,000.00"

and by changing the resultant totals accordingly."

Mr. Bragg moved that the Amendment No. 3 to Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	54
Noes	30

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Burnett, Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Gaia, Gill, Hillis, Johnson, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, McNally, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Whitson, Wix, Work, Yelton and Mr. Speaker McWherter--54.

Representatives voting no were: Baker, Bewley, Carter, Chiles, Clark (Davidson), Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hurley, Huskey, Kelley, Kent, Moore, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Wolfe and Wood--30.

Mr. Duncan moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 4 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following item which appears on page 7 of such amendment:

"AND FURTHER AMEND by deleting from Title III-16 of Section 1 the following words and figures:

"2.1	Administration.....	732,800.00
2.5	Solid Waste Management.....	1,889,900.00"

and by substituting in lieu thereof the following words and figures:

"2.1	Administration.....	586,600.00
2.5	Solid Waste Management.....	1,839,900.00"

and by changing the resultant totals accordingly."

and by substituting in lieu thereof the following:

"AND FURTHER AMEND by deleting from Title III-16 of Section 1 the words and figures:

2.5	Solid Waste Management.....	1,889,900.00
-----	-----------------------------	--------------

and by substituting in lieu thereof the following words and figures:

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2.5 Solid Waste Management..... 1,839,900.00

and by changing the resultant totals accordingly."

Mr. Bragg moved that Amendment No. 4 to Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	32
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Gill, Hillis, Jared, Johnson, Kernell, King (Shelby), Lashlee, Love, McKinney, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wallace, Wheeler, Whitson, Withers, Wix, Work and Mr. Speaker McWherter--50.

Representatives voting no were: Baker, Bewley, Carter, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moore, Robertson, Robinson (Washington), Scruggs, Severance, Smith, Stafford, Sterling, Ussery, Webb, Wolfe, Wood and Yelton--32.

Representative present and not voting was: Owen--1.

Mr. Smith moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 5 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following items which appear on page 7 of such amendment:

"AND FURTHER AMEND by deleting from Title III-20 of Section 1 the following words and figures:

"3. Division of Highway Patrol..... 18,234,200.00"

and by substituting in lieu thereof the following words and figures:

"3. Division of Highway Patrol..... 17,881,700.00"

and by changing the resultant totals accordingly."

and by substituting in lieu thereof the following:

"AND FURTHER AMEND by deleting from Title III-20 of Section 1 the following words and figures:

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"3. Division of Highway Patrol..... 18,234,200.00"

and by substituting in lieu thereof the following words and figures:

"3. Division of Highway Patrol..... 18,184,200.00"

and further amend by deleting the following item which appears on page 12 of such amendment:

"Item___. No State employee shall be temporarily reassigned from his permanent duty station to work at or in conjunction with the World's Fair in Knoxville, Tennessee, and be housed in State facilities and thereby preclude him from receiving reimbursement for travel expenses in accordance with the Comprehensive Travel regulations promulgated by the Department of Finance and Administration."

Mr. Bragg moved that Amendment No. 5 to Amendment No. 2 be tabled, which motion prevailed.

Ms. Duer moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 6 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following item which appears on page 12 of such amendment:

"Item___. From the funds appropriated in Section 1, Title III-16, item 3.3 for pre-natal care, there is allocated the sum of one million dollaars (\$1,000,000.00) for crippled children's services and such sum is hereby transferred to Section 1, Title III-16, item 3.4."

and further amend by deleting the following item which appears on page 11 of such amendment:

"(2) by deleting Section 1, Title III-16, item 3.3 which reads as follows:

"3.3 Maternal and Children Health
Services..... 5,823,800"

and by substituting instead the following:

"3.3 Maternal and Children Health
Services..... 6,823,800"

and by adjusting all totals and subtotals accordingly; and"

and by substituting in lieu thereof the following:

"(2) by deleting Section 1, Title III-16, item 3.4 which reads as follows:

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"3.4 Crippled Children's Services..... 3,831,100.00"

and by substituting in lieu thereof the following:

"3.4 Crippled Children's Services..... 4,831,100.00"

and by adjusting all totals and subtotals accordingly; and"

Mr. Rhinehart moved the previous question, on Amendment No. 2 which motion failed by the following vote:

Ayes	50
Noes	35

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Brewer, Buck, Burnett, Byrd, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--50.

Representatives voting no were: Baker, Bell (Knox), Bewley, Chiles, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kent, King (Washington), McAfee, McNally, Montgomery, Moore, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson and Wolfe--35.

REQUEST TO CHANGE VOTE

Mr. Speaker:

I was out of the chamber when the previous question was moved on Admendment No. 2 to H B. 1739, I wish to be recorded as voting no.

REP. TED RAY MILLER

Mr. McKinney moved that Amendment No. 6 to Amendment No. 2 be tabled, which motion prevailed.

Mr. Carter moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 7 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following items which appears on page 4 of such amendment:

"AND FURTHER AMEND by deleting from Title III-4 of Section 1 the following words and figures:

"1. Administration and Travel Promotion \$ 2,360,700.00"

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and substituting in lieu thereof the following words and figures:

- "1. Administration and Travel Promotion \$ 2,056,500.00"

and by changing the resultant totals accordingly."

Mr. McKinney moved that Amendment No. 7 Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	49
Noes	43

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Ellis, Gaia, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Turner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--49.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Copeland, Disspayne, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Miller, Montgomery, Moore, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wolfe and Wood--43.

Mr. Stafford moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 8 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting the following item which appears on page 6 of such amendment:

"AND FURTHER AMEND by deleting from Title III-8 of Section 1 the following words and figures:

- | | |
|--|-----------------|
| "1. Division of Administration and Support Services..... | \$ 1,148,100.00 |
| 6. Industrial Training Service..... | 3,804,700.00" |

and by substituting in lieu thereof the following words and figures:

- | | |
|--|---------------|
| "1. Division of Administration and Support Services..... | 948,100.00 |
| 6. Industrial Training Service..... | 3,604,700.00" |

and by changing the resultant totals accordingly."

Mr. Bragg moved that the Amendment No. 8 to Amendment No. 2 be tabled, which motion prevailed by the following vote:

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Ayes	54
Noes	39
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Sterling, Tanner, Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--54.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--39.

Representative present and not voting was: Wallace--1.

REQUEST FOR ROLL CALL

Mr. Speaker:

We request that under Rule 27 of the Rules of Order, that all votes as it pertains to Amendment #2 To HB 1739 including calls for previous question, amendments, to table, adjourn, recess, postpone, recommit or any other motion or motions be by roll call on the electrical roll call system in the House and we the undersigned by signing hereto indicate that desire as if we had raised our hands.

REP. JAMES M. HENRY

REP. LOY SMITH

REP. M. ROBERTSON

REP. BRAD MARTIN

REP. BILL CARTER

REP. BILL MCAFEE

Mr. Buck moved the previous question, on Amendment No. 2 which motion prevailed by the following vote:

Ayes	60
Noes	27
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill,

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Henry (Blount), Hillis, Hurley, Jared, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Spence, Stallings, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--60.

Representatives voting no were: Baker, Bell (Knox), Chiles, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Kelley, Kent, McAfee, McNally, Martin, Montgomery, Moore, Robertson, Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Sterling, Ussery and Wolfe--27.

Representative present and not voting was: Owen--1.

Thereupon, Amendment No. 2, as amended, was adopted by the following vote:

Ayes	58
Noes	36
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Henry (Blount), Hillis, Jared, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wallace, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--58.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Hurley, Huskey, Kelley, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--36.

Representative present and not voting was: Kent--1.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1739 by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

"There is hereby appropriated from the reserve for claims against the state an amount not to exceed \$2 million for the purpose of funding the appropriations set forth in this act."

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Mr. Miller moved to amend Amendment No. 3 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 3

Amend Amendment No. 3 by adding the following:

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated to the department of safety, there is earmarked a sum not to exceed three hundred fifty two thousand dollars (\$352,000) for overtime payment to the highway patrol for duty performed at the World's Fair.

On motion, Amendment No. 1 to Amendment No. 3 was adopted.

Thereupon Amendment No. 3, as amended, was adopted by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Mr. Robertson moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1739 by deleting the following items which appear on pages 3 and 4 of such amendment:

"AND FURTHER AMEND by deleting from Item 26 of Section 1 the following words and figures:

"4. Amortization of Authorized and Unissued Bonds.....	29,461,000"
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and by substituting in lieu thereof the following words and figures:

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"4. Amortization of Authorized and
Unissued Bonds..... 21,961,000"

and by changing the resultant totals accordingly.

AND FURTHER AMEND by adding a new item to the appropriate section to be appropriately numbered and to read as follows:

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated an amount of one million dollars (\$1,000,000) to the State Building Commission for preplanning capital projects as determined by the State Building Commission. Provided, however, the State Building Commission shall not authorize preplanning for any capital project for the various institutions of higher education which conflicts with the priority order of recommendations made by the Tennessee Higher Education Commission for the 1982-83 fiscal year.

AND FURTHER AMEND by deleting from Item 24 of Section 1 the following words and figures:

"1.	State Building Commission.....	\$ 1,000,000.00
2.	Department of Agriculture.....	50,000.00
3.	Department of Conservation.....	432,000.00
4.	Department of Correction.....	1,749,000.00
5.	Department of Education.....	70,000.00
6.	Department of Mental Health and Mental Retardation.....	595,000.00
7.	Department of Military.....	290,000.00
8.	Department of Public Health.....	500,000.00
9.	Obion-Forked Deer Basin Authority..	1,000,000.00
10.	University of Tennessee System....	1,815,000.00
11.	State Board of Regents System.....	1,490,000.00
12.	State Technical Institutes.....	663,000.00
	Total Title III-24.....	\$ 9,654,000.00

and substituting in lieu thereof the following words and figures:

"1.	State Building Commission.....	\$ 300,000.00
2.	Department of Agriculture.....	50,000.00
3.	Department of Conservation.....	450,000.00
4.	Department of Correction.....	340,000.00
5.	Department of Education.....	178,000.00
6.	Department of Mental Health and Mental Retardation.....	1,345,000.00
7.	Department of Military.....	500,000.00
8.	Department of Public Health.....	150,000.00
9.	State Board of Regents.....	3,306,000.00
10.	University of Tennessee.....	2,476,000.00
11.	State Technical Institutes.....	263,000.00
	Total Title III-24.....	\$ 9,358,000.00

AND FURTHER AMEND by deleting from Item 24 of Section 1 the second

paragraph in its entirety and substituting in lieu thereof the following:

"Said funds herein appropriated shall be used solely for improvements, betterments, and additions to state structures as described or referred to above and as approved by the State Building Commission; provided, further, that such funds as are appropriated herein shall be utilized to finance only those projects, improvements, betterments, or additions which are designated as Capital Maintenance and 504 Compliance (Handicapped) in the State of Tennessee's 1982-83 Budget Document and any additional projects contained in the appropriations act as passed on third and final reading; provided, further, that all funds appropriated in this act or other general acts of this session for capital outlay shall be subject to the provisions of Title 4, Chapter 15, Sections 4-15-101 et seq., Tennessee Code Annotated."

and by deleting the following items which appear on page 27 of such amendment:

"Item _____. In addition to any other appropriation made in this act, there is hereby appropriated to the State Funding Board a sum sufficient to pay the first year's debt service on bonds authorized by HB 2069, SB 2136. This appropriation is effective only if HB 2069, SB 2136 is enacted into law."

Mr. McKinney moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes 54
Noes 40

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wallace, Wheeler, Wix, Work and Mr. Speaker McWherter--54.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Murphy (Shelby), Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--40.

REQUEST TO CHANGE VOTE

Mr. Owen asked to be recorded as changing his vote from "aye" to "no" on the motion to table Amendment No. 4.

Mr. Henry (Blount) moved the previous question, which motion failed by the following vote:

Ayes	61
Noes	31

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), Lashlee, Love, McKinney, Martin, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Webb, Wheeler, Whitson, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--61.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Kent, McAfee, McNally, Miller, Montgomery, Moore, Owen, Robertson, Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Turner, Ussery, Wallace, Wolfe and Wood--31.

Mr. Moore moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 1739 by deleting from Title III-5 of Section 1 the following words and figures:

"7.	Division of Parks.....	9,412,100.00
10.	Facilities Management.....	2,072,200.00"

and substituting in lieu thereof the following words and figures:

"7.	Division of Parks.....	8,744,200.00
10.	Facilities Management.....	1,152,200.00"

and by changing the resultant totals accordingly."

Mr. Bragg moved that Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes	48
Noes	40
Present and not voting	1

Representatives voting aye were: Akard, Bivens, Bragg, Brewer,

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Buck, Burnett, Byrd, Clark (Davidson), Cobb, Crain, Davidson, Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--48.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Copeland, Covington, Duer, Duncan, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Miller, Montgomery, Moore, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Webb, Whitson, Wolfe and Wood--40.

Representative present and not voting was: Wallace--1.

Mr. Lashlee moved the previous question, on the bill which motion failed by the following vote:

Ayes	56
Noes	34

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Ellis, Gaia, Gill, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kernell, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Severance, Shirley, Sir, Spence, Stallings, Starnes, Tanner, Wheeler, Whitson, Withers, Wix, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Roane), Hudson, Huskey, Kelley, Kent, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Robertson, Robinson (Washington), Scruggs, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Wolfe and Wood--34.

Mr. Baker moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 1739 by deleting the following item which appears on page 7 of such amendment:

"And further amend by deleting from Title III-21 of Section 1 the following words and figures:

"1.10 Family Courts..... 1,000,000.00"

and by changing the resulting totals accordingly"

Mr. Bragg moved tht Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes	50
Noes	43
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Dissspayne, Ellis, Gaia, Gill, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Stallings, Starnes, Tanner, Turner, Wheeler, Whitson, Withers, Work and Mr. Speaker McWherter--50.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Davidson), Cobb, Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Huskey, Kelley, Kent, McAfee, McNally, Martin, Miller, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Spence, Stafford, Sterling, Ussery, Wallace, Webb, Wix, Wolfe, Wood and Yelton--43.

Representative present and not voting was: Owen--1.

Ms. Duer moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 1739 by deleting from Title III-9 of Section 1 the following words and figures:

"7. Educators' Liability Insurance..... \$ 125,000.00"

and by changing the resultant totals accordingly."

and by deleting the following item which appears on page 12 of such amendment:

"Item___. Notwithstanding any provision of the law or this act to the contrary, no funds appropriated by the provisions of this act shall be obligated or expended to develop, implement or purchase in any form liability insurance for educators."

and by substituting in lieu thereof the following:

"Item___. The Commissioner of Education is authorized to expend the funds appropriated in Section 1, Title III-9 for the purpose of purchasing a uniform liability insurance policy for

the benefit of personnel employed in local school systems. The purchase of such policy shall be based upon procedure requiring the submission and review of competitive proposals and must be approved by the Commissioner of Finance and Administration before it is effective. Nothing herein shall prohibit local school systems from purchasing any other insurance in addition as supplemental to the insurance purchased herein."

Mr. Rhinehart moved that Amendment No. 7 be tabled, which motion prevailed by the following vote:

Ayes	56
Noes	40

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Shirley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Withers, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Baker, Bell (Knox), Bewley, Carter, Chiles, Clark (Sumner), Copeland, Duer, Duncan, Ford, Frensley, Harrill, Henry (Blount), Henry (Roane), Hudson, Hurley, Huskey, Kelley, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Sterling, Ussery, Wallace, Webb, Whitson, Wix, Wolfe and Wood--40.

Mr. DePriest moved to amend as follows:

AMENDMENT NO. 8

Amend House Bill No. 1739 by adding the following new item at the end of Section 11:

Item____. From the funds appropriated to the department of correction, there is hereby allocated to the division of agri-industries the sum of \$339,100. Such sum is allocated and shall be expended as follows:

- (1) The sum of \$145,000.00 for purchase of fertilizer.
- (2) The sum of \$118,700.00 for purchase of lime to restore the lime level to Ph 6.5 on all farms.
- (3) the sum of \$75,400.00 for the purchase of the chemicals necessary to control the Johnson grass problem on all farms.

There is created a special joint oversight committee which

shall monitor the implementation of this item to insure that the funds appropriated by the provisions of this item are expended in accordance with the provisions of this item. Such committee shall be composed of three (3) members of the house of representatives and two (2) members of the senate, who are knowledgeable about agriculture, to be appointed by the respective speakers thereof. All members of the committee shall remain members of the committee until such funds are expended or obligated and shall be paid as members of the general assembly are paid for attending legislative meetings as provided in Tennessee Code Annotated, Section 3-1-106.

On motion, the amendment was adopted.

Mr. Wallace moved the previous question, on the bill, which motion prevailed by the following vote:

Ayes	63
Noes	23
Present and not voting	1

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Ellis, Frensey, Gaia, Gill, Henry (Blount), Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Lashlee, Love, McKinney, McNally, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Sir, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Work, Yelton and Mr. Speaker McWherter--63.

Representatives voting no were: Bell (Knox), Chiles, Duer, Duncan, Ford, Harrill, Henry (Roane), Huskey, Kent, King (Washington), McAfee, Martin, Montgomery, Moore, Owen, Percy, Robertson, Robinson (Washington), Scruggs, Smith, Stafford, Wolfe and Wood--23.

Representative present and not voting was: Miller--1.

Thereupon, House Bill No. 1739, as amended, passed its third and final consideration by the following vote:

Ayes	85
Noes	13

Representatives voting aye were: Akard,* Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Gaia, Gill, Henry (Blount), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee,

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McKinney, Martin, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--85.

Representatives voting no were: Baker, Bewley, Duncan, Frensley, Harrill, Henry (Roane), Hudson, McNally, Moore, Percy, Smith, Stafford and Ussery--13.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker Pro tem.

RECESS

On motion of Mr. McKinney, the House recessed for 10 minutes.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 118 out of order, which motion prevailed.

House Resolution No. 118--Relative to honoring Mrs. Harry Mae Simmons--By Brewer and DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

House Bill No. 2059--To exempt certain property from taxation.

Mr. Smith moved that House Bill No. 2059 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2059 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

() There shall be exempt from property taxation the

property or any portion thereof containing one (1) residential dwelling located in a community park which is open to entry by the general public if such dwelling is owned by a nonprofit religious, charitable, educational or scientific organization which does not receive income from the resident thereof, if such resident does not occupy the dwelling in lieu of a salary, and if such resident by his presence would discourage or prohibit damage or destruction by vandalism of the organization's property.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2059, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Bill No. 1904--To amend Title 63, Chapter 7, Code.

Mr. Severance moved that House Bill No. 1904 be passed on third and final consideration.

Ms. DeBerry moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1904 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-737, relative to the educational requirements of the executive director of the board of nursing is amended by deleting in subsection (a) the word "Baccalaureate" and by substituting instead the word "Master's".

AND FURTHER AMEND by deleting from the second amendatory paragraph

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of Section 2 the words "who is employed by an individual, agency, or corporation located in another state and".

AND FURTHER AMEND by deleting from the third sentence of the second amendatory paragraph of Section 7 the word "reinstatement" and substituting instead the word "renewal".

AND FURTHER AMEND by deleting from the directory language of Section 2 the words and figures "Section 67-739" and substituting instead the words and figures "Section 63-739".

AND FURTHER AMEND by deleting the period (.) appearing after the words "fourteen (14) days" at the end of the first unnumbered subsection of Section 2 and substituting instead the words and punctuation "in a calendar year."

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1904 by deleting the second paragraph of Section 7, as contained in the printed bill, and substituting instead the following paragraph:

The license of any nurse who has not been engaged in the practice of nursing for two (2) years or more shall be placed on the nonpracticing list. If such nurse desires to resume practice, notice in writing shall be given to the board and evidence of nursing competence may be required prior to license renewal. The board shall evaluate on an individual basis evidence of nursing competence which may include but is not limited to a refresher program, comprehensive orientation program or nursing educational program.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1904 by adding an additional paragraph to Section 4, as follows:

Tennessee Code Annotated, Section 63-743, is further amended by deleting the period at the end of the first and second sentences of subsection (a) and adding the following:

and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant.

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AND FURTHER AMEND by adding an additional paragraph to Section 6, as follows:

Tennessee Code Annotated, Section 63-748, is further amended by deleting the period at the end of the first and second sentences of subsection (a) and adding the following:

and the board may direct, by regulation, that a part of the fee will be paid directly to a testing service by the applicant.

AND FURTHER AMEND in Section 9 by deleting the section and substituting instead the following:

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1904 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1904, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Representatives voting no were: Jones and Scruggs--2.

A motion to reconsider was tabled.

House Bill No. 2054--To amend Section 16-15-205, Code.

Mr. Robertson moved that House Bill No. 2054 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representatives voting no were: Ford and Huskey--2.

A motion to reconsider was tabled.

House Bill No. 2150--To allow enforcement, support rights, assesment of collection fees.

Mr. Robertson moved that House Bill No. 2150 be passed on third and final consideration.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2150 by deleting paragraph (b) in its entirety and substituting instead the following:

(b) Upon the filing of an application for the same by an individual not otherwise eligible for support services under this section, the state department shall also have the right to

initiate said support actions on behalf of such individuals, in accordance with the provisions of Title IV-D of the Federal Social Security Act, as amended. The state department shall also have the authority to impose a collection service fee for the costs of providing this service in accordance with the requirements of Title IV-D of the Social Security Act as amended by Public Law 97-35 or subsequent amendments.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2150, as amended, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1763--To define "contracting".

On motion, House Bill No. 1763 was made to conform with Senate Bill No. 1916.

On motion, Senate Bill No. 1916, on same subject, was substituted for House Bill No. 1763.

Mr. Hudson moved that Senate Bill No. 1916 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1916:

Section 1: Hereby amended by adding a new paragraph to Section 1 as follows:

However, the term "contracting" shall not include: Undertaking in one's county of residence solely to construct residences or dwellings on private property for the purpose of resale, if such county has a population of sixty thousand (60,000) or less according to the U.S. census of population of 1980 or any subsequent federal census.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1916, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

House Bill No. 1504--To define insurance coverage, newly born children.

Mr. Dills moved that House Bill No. 1504 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1504 is amended by adding the following as new sections:

Section ____ . Tennessee Code Annotated, Section 56-7-1001 is amended by adding the following as a new subsection:

(e) After January 1, 1983, every insurer which proposes to issue a group policy or contract in this state

and every nonprofit hospital and medical service plan corporation which proposes to issue a group service plan contract in this state which provides maternity benefits shall make available benefits for pediatric nursery care of newly born children. Such additional benefit shall be for a specified number of nursery care days and maximum dollar limits as elected by the group policyholder or group contract holder.

Section __. Tennessee Code Annotated, Section 56-7-1001 is amended by adding the following as a new subsection:

(f) With respect to policies and contracts as described in subsection (e) which were delivered or issued for delivery in this state on or before January 1, 1983, each insurer and nonprofit hospital and medical service plan corporation shall notify the group policyholder or group contract holder of the availability of coverage described in subsection (e).

On motion, the amendment was adopted.

Thereupon, House Bill No. 1504, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

Mr. Davis (Hamilton) moved that House Bill No. 1560 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

Mr. Bivens moved that House Bill No. 1913 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1396--To amend Section 49-1922, Code.

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Mr. Dills moved that House Bill No. 1396 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	7
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--86.

Representatives voting no were: Bragg, Cobb, Hudson, King (Washington), Martin, Montgomery and Spence--7.

Representatives present and not voting were: Ford, McKinney and Yelton--3.

A motion to reconsider was tabled.

STATEMENT ON HOUSE BILL NO. 1396

Mr. Speaker, Ladies and Gentlemen of the House:

I believe in Prayer. I believe in Prayer in schools, in factories and in every place. I believe in every individual's constitutionally protected right to pray anywhere, anytime.

I do not believe in government interference with religion. I am a Baptist. My church is affiliated with the Southern Baptist Convention like many of your churches and like many Baptist Churches in the South. The convention is on record by resolution as being opposed to any attempt to have government regulate religion.

In 1980, The Southern Baptist Convention passed a resolution dealing with voluntary prayer in the schools. I agree totally and completely with that resolution, which I have attached to these remarks. That resolution opposes any attempt to pass a law dealing with prayer.

I believe government has no business telling us when, where or how long to pray.

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I would like to formally request that these remarks and a copy of The Southern Baptist Convention Resolution be spread on today's journal.

Respectively,

REP. BOB KING
REP. JOHN BRAGG

RESOLUTION ON VOLUNTARY PRAYER IN PUBLIC SCHOOLS

WHEREAS, The Supreme Court has not held that it is illegal for any individual to pray or read his or her Bible in public schools,

Be it RESOLVED, That this Convention record its opposition to attempts, either by law or other means, to circumvent the Supreme Court's decisions forbidding government authored or sponsored religious exercises in public schools, and

Be it further RESOLVED, That we hereby affirm our belief in the right to have voluntary prayer in the public schools, and

Be it further RESOLVED, That the Baptist Joint Committee on Public Affairs be requested to communicate this action to Congress and the President.

Adopted by the Southern Baptist Convention
June 10-12, 1980, St. Louis, Missouri

Harold C. Bennett, Executive Secretary-Treasurer
Executive Committee of the Southern Baptist Convention

Mr. Davis (Hamilton) asked to be recorded as voting aye on House Bill No. 1396.

House Bill No. 2171--To amend Section 49-215, Code.

Mr. Cobb moved that House Bill No. 2171 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2171 by adding at the end of the amendatory paragraph (8) in Section 1, an additional sentence, as follows:

Nothing contained herein shall be construed to grant tenure or the expectation of continued employment to any person.

On motion, the amendment was adopted.

Mr. Owen moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2171 by inserting a new section 2 to read as follows and renumbering subsequent Sections accordingly:

Section 2

Any information in the written notice or the hearing shall not be permissible in any legal action by any probationary teacher.

Mr. Cobb moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	45
Noes	35
Present and not voting	3

Representatives voting aye were: Akard, Bell (Wilson), Bragg, Buck, Byrd, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Harrill, Hillis, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, Moore, Murphy (Davidson), Murphy (Shelby), Naifeh, Phillips, Pickering, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Shirley, Sir, Starnes, Sterling, Tanner, Turner, Wallace, Withers and Work--45.

Representatives voting no were: Baker, Bell (Knox), Bewley, Bivens, Duncan, Ford, Frensley, Gaia, Gill, Henry (Roane), Hurley, Huskey, Johnson, Kelley, Kent, McNally, Miller, Montgomery, Murray, Owen, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Ussery, Webb, Whitson, Wolfe, Wood and Yelton--35.

Representatives present and not voting were: Davis (Pickett), Percy and Spence--3.

Thereupon, House Bill No. 2171, as amended, passed its third and final consideration by the following vote:

Ayes	81
Noes	10
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney,

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McNally, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Shockley, Sir, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--81.

Representatives voting no were: Chiles, Duer, Frensley, Johnson, Jones, Montgomery, Robinson (Washington), Scruggs, Smith and Spence--10.

Representatives present and not voting were: McAfee and Starnes--2.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 1960--To make certain provisions, seizure of stolen vehicles.

On motion, House Bill No. 1960 was made to conform with Senate Bill No. 1603.

On motion, Senate Bill No. 1603, on same subject, was substituted for House Bill No. 1960.

Mr. Kent moved that Senate Bill No. 1603 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: DeBerry--1.

A motion to reconsider was tabled.

House Bill No. 678--To enact General Sessions Criminal Court Act.

On motion, House Bill No. 678 was made to conform with Senate Bill No. 642.

On motion, Senate Bill No. 642, on same subject, was substituted for House Bill No. 678.

Mr. Turner moved that Senate Bill No. 642 be passed on third and final consideration.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 642 by adding a new section immediately prior to Section 27 and renumbering subsequent sections accordingly:

SECTION 27. Nothing in this act shall be construed to authorize or permit the expenditure of state funds for the courts or personnel authorized by this act.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 642 by inserting the following new paragraph between the second and third paragraphs of Section 10:

At least two (2) divisions of the General Sessions Court assigned to hear criminal cases shall be reserved each day for the acceptance of guilty pleas and the remaining divisions shall be used for contested cases. When court convenes each morning, the judges and or the prosecuting attorneys shall inquire of the defendants scheduled to be heard whether any of them wish to enter a guilty plea. The cases of all defendants who wish to enter a guilty plea, whether pursuant to a plea agreement or otherwise, shall be immediately transferred to the two (2) divisions reserved to accept guilty pleas on that day. All other cases shall remain in their respective assigned divisions for disposition unless transferred for trial to another available division of court.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

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AMENDMENT NO. 3

Amend Senate Bill No. 642 by deleting Section 3 in its entirety and substituting instead the following:

Effective September 1, 1982 there is hereby created and established six (6) additional divisions to the general sessions court of any county to which this act applies to be designated as Division VII, Division VIII, Division IX, Division X, Division XI, and Division XII, respectively. Such divisions shall hold court in the county seat and the county shall defray the expenses thereof from the general fund of such county.

FURTHER AMEND by deleting Section 4 in its entirety and substituting instead the following:

(a) The general sessions court divisions created by this act shall have concurrent jurisdiction, powers and authority with the current county general sessions court divisions. Such jurisdiction, powers and authority shall vest in such additional divisions on September 1, 1982.

(b) The county commission of any county to which this act applies shall designate that at least six (6) divisions of the general sessions court begin to hear the criminal cases of such court on September 1, 1982. Provided however, such county commission may shift the number of divisions assigned to hear either civil or criminal cases either upwards or downwards as the needs of the respective dockets may dictate. Provided further that judges elected prior to August 1, 1982 shall have first preference for assignment to the civil division.

(c) The Executive Secretary of the Tennessee Supreme Court shall upon request of the County Commission assign temporarily one or more general sessions court judge assigned to the criminal division to sit as a Special Criminal Court judge with all such powers thereof in the Criminal Court of Shelby County as a Special Division.

FURTHER AMEND by deleting the first paragraph of Section 8 and substituting instead the following:

The judges of all divisions of such court shall adopt such rules as may be necessary to expedite the trial and disposal of cases. In all matters the costs and fees of the additional divisions of the general sessions court shall be the same as is currently provided for the general sessions court in such county.

FURTHER AMEND by deleting the first paragraph of Section 10 and substituting instead the following:

Effective September 1, 1982 the offices of general sessions court judge of Divisions VII, VIII, IX, X, XI, and XII,

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respectively, are created. For the purpose of qualifying and running for election to such offices at the August 1982 general election, such offices are created upon approval of this Act by the county legislative body of any county to which it applies.

FURTHER AMEND by adding the following to Section 13:

Any general sessions judge assigned to hear criminal cases may, during the term of such assignment and by agreement of the respective judges, sit by interchange with any criminal court judge of the counties to which this act applies.

FURTHER AMEND by deleting Section 21 and substituting instead the following:

The sheriff shall designate a sufficient number of court officers to wait on the additional divisions of the general sessions court at all times it is in session.

FURTHER AMEND by deleting the first sentence of Section 22 and substituting instead the following:

The district attorney general of the judicial circuit within a county to which this act applies is hereby granted the power and authority to appoint a sufficient number of assistants to serve at the will and pleasure of such district attorney general in order to serve such additional divisions of the general sessions court.

FURTHER AMEND by deleting Sections 1, 7, 15, 17, 18, 19, 20, 23, 24, and 25 in their entirety.

FURTHER AMEND by deleting the word "criminal" whenever it appears between the words "sessions" and "act" in Sections 5, 8, 9, 10, and 14.

On motion, the amendment was adopted.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 642 by adding the following new Section 26 and by renumbering the remaining sections accordingly:

All fines which would otherwise be retained by any county adopting the provisions of this act shall revert to the State of Tennessee if this Act is not implemented by any such county according to its provisions as enacted by the general assembly.

On motion, the amendment was adopted.

Mr. Shirley moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 642 by adding the following words immediately following the words "inferior courts" in the second paragraph of Section 10:

; provided, however, that the term of such judges shall be four (4) years.

Mr. Turner moved that the Amendment No. 5 be tabled, which motion failed by the following vote:

Ayes	41
Noes	44
Present and not voting	5

Representatives voting aye were: Bell (Knox), Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Covington, Crain, Davis (Gibson), Disspayne, Duncan, Ford, Gaia, Gill, Henry (Blount), Henry (Roane), Hurley, Huskey, Jared, Kernell, Lashlee, McNally, Montgomery, Murphy (Shelby), Naifeh, Owen, Phillips, Richardson, Robertson, Robinson (Davidson), Scruggs, Shockley, Smith, Spence, Stafford, Tanner, Turner, Ussery and Withers--41.

Representatives voting no were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Brewer, Clark (Sumner), Davidson, DeBerry, DePriest, Ellis, Harrill, Hillis, Hudson, Jones, Kelley, Kent, King (Shelby), King (Washington), Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray, Pickering, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Starnes, Sterling, Wallace, Webb, Whitson, Wolfe, Wood and Yelton--44.

Representatives present and not voting were: Davis (Pickett), Duer, Frensley, Johnson and Percy--5.

Thereupon, on motion, Amendment No. 5 was adopted.

Mr. Turner moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 642 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared severable.

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On motion, the amendment was adopted.

Mr. Turner moved that Senate Bill No. 642 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

Mr. Carter moved that House Bill No. 1550 be placed on the Calendar for Wednesday, March 31, 1982 which motion prevailed.

House Bill No. 1762--To interchange general sessions judges.

On motion, House Bill No. 1762 was made to conform with Senate Bill No. 1945.

On motion, Senate Bill No. 1945, on same subject, was substituted for House Bill No. 1762.

Mr. Turner moved that Senate Bill No. 1945 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 1575--To make certain provisions, life insurance policies.

Mr. Severance moved that House Bill No. 1575 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1575 by deleting Section 1 in its entirety and substituting the following new section:

SECTION 1. Tennessee Code Annotated, Section 56-8-104, is amended by deleting item (11) in its entirety and substituting the following:

(11) With respect to any policy of life insurance in a replacement transaction, as the term has been defined by the commissioner:

(A) In the case of any insurer, failing to provide an unconditional refund offer of at least twenty (20) days from the date of delivery of the policy.

(B) In the case of any insurer, failing to send by certified or registered mail any notice required by statute or rule to an existing insurer.

(C) In the case of a life insurance agent, failing to advise the policy-holder of the resultant consequences in the surrender of any existing life insurance policy prior to the determination of insurability by the replacing company.

AND FURTHER AMEND by deleting Section 2 in its entirety and renumbering subsequent sections accordingly.

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1575:

Section 1 is amended by deleting paragraph C in its entirety and substituting the following:

C. In the case of a life insurance agent, failing to give notice to the policyholder of the resultant consequences in the surrender of any existing life insurance policy prior to the determination of insurability by the replacing company. Such notice and the acknowledgement of notice shall be executed on forms approved by the Commissioner.

Section 1 is further amended by adding the following new paragraph D:

D. In the case of any insurer, issuing any life insurance policy, in a replacement transaction, prior to having obtained the executed form referred to in subsection C above. In the case of such failure, the insurer waives its right to reject the risk based on the information disclosed in the application.

On motion, the amendment was adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1575 by deleting the amendatory language of Section 3 in its entirety and substituting the following:

This act shall take effect July 1, 1982, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Severance moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1575 by deleting paragraph C. of Section 1 in its entirety and substituting therefor the following:

"C. In the case of a life insurance agent, failing to give notice to an applicant for life insurance of the adverse consequences which may result from surrendering an existing life insurance policy prior to the determination of insurability by the replacing insurer. The notice shall be in the form prescribed by the Commissioner and receipt of such notice shall be acknowledge by signature of the applicant. A copy of the signed notice shall be provided to the existing insurer in accordance with rules adopted by the Commissioner."

Further amend by deleting paragraph D. of Section 1 in its entirety.

On motion, the amendment was adopted.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	81
Noes	8
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Dispayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Severance, Shirley, Shockley, Sir, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton--81.

Representatives voting no were: Bell (Knox), Davis (Pickett), Henry (Blount), King (Shelby), Love, Robertson, Scruggs and Smith--8.

Representatives present and not voting were: Brewer and Harrill--2.

Thereupon, House Bill No. 1575, as amended, passed its third and final consideration by the following vote:

Ayes	79
Noes	11
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wood, Work, Yelton--79.

Representatives voting no were: Davis (Pickett), Dills, Henry (Blount), Jared, King (Shelby), Love, Scruggs, Smith, Stafford, Wolfe and Mr. Speaker McWherter--11.

Representatives present and not voting were: Carter, Duncan, Harrill, Sterling and Wix--5.

A motion to reconsider was tabled.

House Bill No. 2203--To regulate captive insurance companies.

On motion, House Bill No. 2203 was made to conform with Senate Bill No. 2304.

On motion, Senate Bill No. 2304, on same subject, was substituted for House Bill No. 2203.

Mr. Severance moved that Senate Bill No. 2304 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

A motion to reconsider was tabled.

House Bill No. 2206--To redesignate certain exit signs, I-40.

On motion, House Bill No. 2206 was made to conform with Senate Bill No. 1903.

On motion, Senate Bill No. 1903, on same subject, was substituted for House Bill No. 2206.

Mr. Wallace moved that Senate Bill No. 1903 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1903 by adding a new sentence at the end of Section 1, as follows:

The signs required by this act shall be the same as those conventionally made and used for designating state parks on interstate highways.

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1903 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The commissioner of the department of transportation is directed to erect and maintain appropriate directional signs on the eastbound and westbound lanes of Interstate 40 at the appropriate exits to indicate the location of the Country Music Hall of Fame and Museum, and to direct that installation of appropriate signs be completed before September 15, 1982. Such sign shall be green if possible, and if such color is not permissible such sign shall be brown.

On motion, the amendment was adopted.

Mr. Baker moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1903 by adding a new section immediately preceding the effective date section and renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared severable.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1903, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	0
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives present and not voting were: Carter, Henry (Blount) and Stafford--3.

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A motion to reconsider was tabled.

House Bill No. 1836--To increase penalty, driving while intoxicated.

On motion, House Bill No. 1836 was made to conform with Senate Bill No. 1475.

On motion, Senate Bill No. 1475, on same subject, was substituted for House Bill No. 1836.

Mr. McNally moved that Senate Bill No. 1475 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1475 by deleting the final sentence of subsection (a) of Section 1 in its entirety and substituting instead the following:

The judge, in his discretion, may require an individual, convicted of a violation of the provisions of Tennessee Code Annotated, Sections 55-10-401--55-10-404, to remove litter from the state highway system, public playgrounds, public parks or other appropriate locations for any prescribed period or to work in a recycling center or other appropriate location for any prescribed period of time in lieu of or in addition to any of the penalties otherwise provided in this section; provided, however, that any person sentenced to remove litter from the state highway system, public playgrounds, public parks or other appropriate locations or to work in a recycling center shall be allowed to do so at a time other than his regular hours of employment. Provided, further, the judge shall not have the authority to allow a person convicted of a violation of the provisions of Tennessee Code Annotated, Sections 55-10-401--55-10-404 to remove litter or perform other public service work in lieu of service of the minimum sentence day for day, payment of the minimum fine or revocation of such person's operator's license for the minimum period of time provided by this act.

FURTHER AMEND by deleting part (1) of subsection (b) of Section 1 in its entirety and substituting instead the following:

(1) No person charged with violating the provisions of Tennessee Code Annotated, Sections 55-10-401--55-10-404 shall be eligible for suspension of prosecution and dismissal of charges pursuant to the provisions of Tennessee Code Annotated, Sections 40-2105 through 40-2109 or for any other pretrial diversion program nor shall any person convicted under such sections be eligible for suspension of sentence or probation pursuant to

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Tennessee Code Annotated, Section 40-2901 or any other provision of law authorizing suspension of sentence or probation until such time as he has fully served day for day at least the minimum sentence provided by law.

Mr. Murphy (Shelby) moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting in its entirety the directory and amendatory language of the first amendatory paragraph of Committee Amendment #1, such amendatory paragraph being the first page of Committee Amendment #1.

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1475 by adding the following language to the end of subsection (a):

(a):

a portion of any fine imposed upon a person for a violation of this section, up to the maximum fine actually imposed, shall be returned to the Sheriff of a county jail or to the chief administrative offices of a city jail for the purpose of reimbursing such sheriff or officer for the cost of incarcerating such person for each night he is actually in custody for a violation of this section. Such reimbursement shall be in the same amount as is provided by Tennessee Code Annotated, Section 8-26-105, and shall not in any event be less than actual cost of maintaining such person and shall be reimbursed in the manner provided by Tennessee Code Annotated, Section 8-26-106.

On motion, the amendment was adopted.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1475 by deleting the unnumbered section which reads as follows:

"() The provisions of this act shall not apply to arrests made prior to the effective date of this act."

and substituting instead the following:

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SECTION ____. The provisions of this act shall not apply to any person whose arrest for a violation of Tennessee Code Annotated, Section 55-10-401 occurs prior to the effective date of this act but whose trial on such violation occurs after its effective date. Provided, however, a conviction for a violation of Tennessee Code Annotated, Section 55-10-401, occurring prior to the effective date of this act shall be considered in determining whether such person shall receive the penalties imposed upon multiple offenders under the provisions of this act.

On motion, the amendment was adopted.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1475 by adding the following new paragraph to the end of subsection (a) of Section 1:

For purposes of this section, a person whose convictions for violating the provisions of Tennessee Code Annotated, Section 55-10-401 occur more than ten (10) years apart shall not be considered a multiple offender and the penalties imposed upon multiple offenders by the provisions of this act shall not apply to such person.

Mr. Kent moved that the Amendment No. 4 be tabled, which motion failed.

Mr. McKinney moved to amend Amendment No. 4 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 4

Amend Amendment No. 4 by striking word and figures ten (10) and substituting in lieu thereof the words and figures five (5).

Mr. Martin moved that the Amendment No. 1 to Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	61
Noes	30

Representatives voting aye were: Akard, Baker, Bewley, Bivens, Buck, Burnett, Byrd, Carter, Chiles, Clark (Sumner), Crain, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jones, Kelley, Kent, Kernell, Lashlee, McNally, Miller, Montgomery, Moore, Naifeh, Owen, Percy, Phillips, Pickering, Richardson, Robinson (Washington), Scruggs, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood, Yelton and Mr. Speaker McWherter --61.

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Representatives voting no were: Bell (knox), Bell (Wilson), Brewer, Clark (Davidson), Cobb, Covington, Davidson, Davis (Hamilton), DePriest, Ellis, Gaia, Hurley, Jared, Johnson, King (Shelby), King (Washington), Love, McKinney, Murphy (Shelby), Murray, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Spence, Wheeler, Withers, Wix and Work--30.

Thereupon, Amendment No. 4 was adopted by the following vote:

Ayes	72
Noes	18

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Carter, Chiles, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Ellis, Ford, Gaia, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, Miller, Montgomery, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Wallace, Webb, Wheeler, Whitson, Withers, Work and Yelton--72.

Representatives voting no were: Byrd, DeBerry, Duncan, Frensley, Gill, Harrill, Kent, Kernell, McNally, Moore, Percy, Phillips, Scruggs, Shirley, Sterling, Turner, Wolfe and Wood--18.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 1475 by deleting items (1) and (2) of subsection (c) of Section 1 and substituting instead the following:

(1) participation in an alcohol safety DUI school program, if available; or

(2) upon the second or subsequent conviction for violating the provisions of Tennessee Code Annotated, Section 55-10-401, participation in a program of rehabilitation at an alcohol treatment facility, if available; and

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 1475 by adding the following to the end of subsection (a) of Section 1:

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In determining the amount of fine in excess of the minimum fine that should be imposed upon a person convicted under this section, the judge shall take into consideration the ability to pay of such person.

On motion, the amendment was adopted.

Mr. Henry (Blount) moved the previous question, on the bill, which motion failed by the following vote:

Ayes	58
Noes	37

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Johnson, Jones, Kelley, Kent, McAfee, McNally, Martin, Montgomery, Moore, Naifeh, Percy, Pickering, Richardson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Whitson, Wolfe, Wood, and Yelton--58.

Representatives voting no were: Bell (Knox), Brewer, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, DeBerry, DePriest, Dispayne, Ellis, Hurley, Jared, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Severance, Shirley, Sir, Smith, Spence, Wheeler, Withers, Work and Mr. Speaker McWherter--37.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 7

Amend Senate Bill No. 1475 by deleting the enabling clause and substituting the following section:

"This act shall take effect on July 1, 1982, the public welfare requiring it."

Mr. Martin moved to amend Amendment No. 7 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 7

Amend Amendment No. 7 by striking the word "enabling" and substituting in lieu thereof "enacting."

On motion, Amendment No. 1 to Amendment No. 7 was adopted.

Thereupon, Amendment No. 7, as amended, was adopted.

Mr. Davidson moved to amend as follows:

AMENDMENT NO. 8

Amend Senate Bill No. 1475 by adding the following language to the end of subsection (a) of Section 1:

Notwithstanding any other provision of this act of the law to the contrary, no person shall be considered a multiple offender for purposes of the punishments provided by this act unless all such convictions occurred after the effective date of this act.

Mr. Wallace moved that Amendment No. 8 be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	35

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Byrd, Carter, Chiles, Davis (Gibson), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gaia, Harrill, Henry (Blount), Henry (Roane), Hillis, Huskey, Johnson, Kelley, Kent, Kernell, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Naifeh, Owen, Percy, Phillips, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood and Yelton--55.

Representatives voting no were: Bell (Wilson), Brewer, Burnett, Clark (Davidson), Cobb, Covington, Crain, Davidson, DePriest, Disspayne, Ellis, Gill, Hudson, Hurley, Jared, Jones, King (Shelby), King (Washington), Lashlee, Love, McKinney, Murphy (Shelby), Murray, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Sir, Spence, Wheeler, Withers, Wix and Work--35.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 9

Amend Senate Bill No. 1475 by deleting the amending language of Amendment No. 7 and substituting in lieu thereof:

The provisions of this Act shall take effect upon July 1, 1982, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Carter moved the previous question, which motion failed by the following vote:

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Ayes	58
Noes	34
Present and not voting	2

Representatives voting aye were: Baker, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), McAfee, McNally, Martin, Montgomery, Moore, Percy, Phillips, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Stafford, Stallings, Sterling, Turner, Ussery, Wallace, Webb, Whitson, Wolfe, Wood and Yelton--58.

Representatives voting no were: Akard, Bell (Wilson), Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, DeBerry, DePriest, Gaia, Harrill, Hurley, Jared, Lashlee, Love, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Pruitt, Rhinehart, Robertson, Sir, Smith, Spence, Tanner, Wheeler, Withers, Wix and Work--34.

Representatives present and not voting were: Brewer and King (Shelby)--2.

Mr. Johnson, having voted with the prevailing side on the tabling motion of Amendment No. 8, moved that the house reconsider its action in tabling Amendment No. 8 which motion failed by the following vote:

Ayes	44
Noes	41
Present and not voting	1

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bragg, Brewer, Burnett, Clark (Davidson), Covington, Davidson, Davis (Gibson), DeBerry, DePriest, Gaia, Henry (Roane), Hillis, Hurley, Jared, Johnson, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Sir, Spence, Stafford, Stallings, Tanner, Wheeler, Withers, Wix and Work--44.

Representatives voting no were: Baker, Bewley, Bivens, Buck, Byrd, Carter, Crain, Davis (Hamilton), Davis (Pickett), Duer, Duncan, Ellis, Ford, Frensley, Harrill, Hudson, Huskey, Jones, Kelley, Kent, Kernell, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Percy, Phillips, Robinson (Washington), Scruggs, Shockley, Smith, Sterling, Turner, Wallace, Webb, Whitson, Wolfe, Wood and Yelton--41.

Representative present and not voting was: Shirley--1.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 10

Amend Senate Bill No. 1475 by adding a new section:

Any person not committed of more than one offense prior to passage of this act shall not be tried as a repeat offender until convicted of a second offense:

Mr. Murray moved the previous question, on the Amendment, which motion prevailed by the following vote:

Ayes	73
Noes	17

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Gaia, Gill, Harrill, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton--73.

Representatives voting no were: Byrd, Carter, Duer, Frensley, Henry (Roane), Hillis, Jones, Kent, McAfee, McNally, Martin, Naifeh, Percy, Robertson, Shirley, Smith and Turner--17.

Thereupon, Amendment No. 10 failed by the following vote:

Ayes	45
Noes	46

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Brewer, Burnett, Chiles, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Ellis, Gaia, Hurley, Jared, Johnson, Kelley, King (Shelby), King (Washington), Lashlee, Love, McKinney, Miller, Murphy (Shelby), Murray, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Sir, Spence, Wheeler, Whitson, Withers, Wix and Work--45.

Representatives voting no were: Akard, Bewley, Buck, Byrd, Carter, Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hudson, Huskey, Jones, Kent, Kernell, McAfee, McNally, Martin, Montgomery, Moore, Murphy (Davidson), Naifeh, Percy, Phillips, Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wolfe, Wood and Yelton--46.

Mr. Gill moved the previous question on the bill, which motion prevailed by the following vote:

Ayes	88
Noes	3
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton--88.

Representatives voting no were: Henry (Blount), Robertson, and Smith--3.

Representative present and not voting was: Mr. Speaker McWherter--1.

Thereupon, Senate Bill No. 1475, as amended, passed its third and final consideration by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

A motion to reconsider was tabled.

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Mr. Bivens moved that House Bill No. 2138 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

House Bill No. 2137--To make certain provisions, public contracts.

Mr. Tanner moved that House Bill No. 2137 be passed on third and final consideration.

Mr. Sir moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2137 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any municipality having a population of not less than seven thousand five hundred (7,500) and not more than seven thousand five hundred seventy-five (7,575) according to the 1980 federal census of population or any subsequent federal census.

Mr. Tanner moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	42
Noes	46
Present and not voting	2

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), DeBerry, Disspayne, Hudson, Hurley, Jared, Johnson, Kelley, King (Shelby), Love, McNally, Martin, Miller, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Robertson, Robinson (Davidson), Spence, Stallings, Sterling, Tanner, Wallace, Webb, Withers and Mr. Speaker McWherter--42.

Representatives voting no were: Akard, Bragg, Buck, Byrd, Carter, Crain, Davis (Hamilton), DePriest, Duer, Duncan, Ellis, Ford, Frensey, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Huskey, Kent, Kernell, King (Washington), Lashlee, McAfee, Montgomery, Moore, Murphy (Davidson), Phillips, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Starnes, Turner, Wheeler, Whitson, Wolfe, Wood, Work and Yelton--46.

Representatives present and not voting were: Rhinehart and Richardson--2.

Mr. Wallace moved that the rules be suspended in order that Representative Bragg's Amendment be considered now, which motion prevailed by the following vote:

Ayes 78
Noes 14

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Lashlee, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--78.

Representatives voting no were: Davis (Pickett), DeBerry, Duer, Kernell, King (Washington), Martin, Murphy (Shelby), Owen, Phillips, Pruitt, Robinson (Davidson), Sir, Whitson and Withers--14.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2137 by striking therefrom in its entirety subsection 2 (d) of the new section proposed to be added to Tennessee Code Annotated, Title 12, Chapter 4, Part 1, by Section 1 thereof and by substituting therefor a new subsection 2 (d) which shall read:

"(d) The provisions of this section shall not apply to that part of any public work or improvement performed by employees of any public entity, whether performed for the public entity itself or another public entity, or on behalf of the State of Tennessee."

Mr. McKinney moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 2

Amend Amendment No. 2 as follows:

The provisions of this act shall not affect any negotiations or contracts concerning the construction of a convention center in a county having a metropolitan form of government.

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

On motion, Amendment No. 2, as amended, was withdrawn.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill no. 2137 striking therefrom in its entirety subsection 2 (d) of the new section proposed to be added to Tennessee Code Annotated, Title 12, Chapter 4, Part 1, by Section 1 thereof and by substituting therefore a new subsection 2 (d) which shall read:

"(d) The provisions of Section (1) and subsection (2) (a) of this section shall not apply to that part of any public work or improvement performed by employees of any public entity, whether performed for the public entity itself or another public entity, or on behalf of the State of Tennessee.

Mr. McKinney moved to amend Amendment No. 3 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 3

Amend Amendment No. 3 by;

The provisions of this act shall not affect any negotiations or contracts concerning the construction or operations of a convention center in a county having a metropolitan form of government.

On motion, Amendment No. 1 to Amendment No. 3 was adopted.

Thereupon, Amendment No. 3, as amended, was adopted.

Thereupon, Amendment No. 1 was adopted by the following vote:

Ayes	45
Noes	38
Present and not voting	2

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Buck, Byrd, Carter, Cobb, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Disspaney, Duer, Duncan, Ellis, Ford, Frensley, Gill, Harrill, Hillis, Hurley, Huskey, Jared, Kent, Kernell, King (Washington), Lashlee, McAfee, Montgomery, Murray, Phillips, Pickering, Pruitt, Robinson (Washington), Scruggs, Severance, Sir, Stafford, Wheeler, Whitson, Wolfe, Wood and Work --45.

Representatives voting no were: Baker, Bell (Knox), Bewley, Chiles, Clark (Davidson), Covington, Davidson, DeBerry, Gaia, Henry (Roane), Hudson, Johnson, Jones, Kelley, King (Shelby), McNally, Moore, Murphy (Shelby), Naifeh, Owen, Percy, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Shockley, Smith, Spence, Stallings, Sterling, Tanner, Wallace, Webb, Withers, Wix, Yelton and Mr. Speaker McWherter--38.

Representatives present and not voting were: Miller and Rhinehart--2.

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Mr. Tanner moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 2137 by inserting the word "qualified" between the words "lowest" and "responsible" contained in the first paragraph of the amendatory language of Section 1 thereof.

AND FURTHER AMEND by adding the words "or the chairman of the budget and finance committee of the governing legislative body" between the words "officer" and "shall" contained in the twelfth (12th) line of the amendatory language of Section 1, subsection (3) thereof.

AND FURTHER AMEND by deleting from Section 2, the words and figures "one thousand dollars (\$1,000)" and inserting instead the words and figures "two thousand five hundred dollars (\$2,500)", and by adding the following new paragraph to the end of Section 2 to read as follows:

With respect to the repair of heavy road building machinery or other heavy machinery for which limited repair facilities are available, this section shall only apply to expenditures exceeding five thousand dollars (\$5,000).

AND FURTHER AMEND by adding a new section to read as follows:

SECTION ____ . The provisions of this act shall not apply to any electric, gas, sewer or water utility owned or operated by any municipality or county, either directly or through any agency, board, department, division, instrumentality or commission of such municipality or county.

Mr. Tanner moved to amend Amendment No. 4 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 4

Amend Amendment No. 4 by deleting the word "or" between the words "sewer" and "water" in the first sentence of the fourth amendatory clause and inserting instead the punctuation comma ",".

AND FURTHER AMEND by adding the words "or airport authorities" between the words "utility" and "owned" in the first sentence of the fourth amendatory clause.

On motion, Amendment No. 1 to Amendment No. 4 was adopted.

Thereupon, Amendment No. 4, as amended, was adopted.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 2137 by adding after the word "improvement" at the end of the first sentence of Section 3 the following words:

nor shall this act be construed to limit the existing authority of any public entity to contract with the State of Tennessee for the performance of any public work, maintenance or improvement project.

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 2137 by adding the following language at the end of item 2(c) in the amendatory section in Section 1:

Provided, further, the term shall not apply to any county having a population of greater than seven hundred seventy thousand (770,000) according to the 1980 federal census of population or any subsequent federal census.

AND FURTHER AMEND by inserting immediately following the word "county" in the first sentence in the amendatory Section in Section 2 the words and figures "except in any county having a population of greater than seven hundred seventy thousand (770,000) according to the 1980 federal census of population or any subsequent federal census,".

Mr. Sterling moved that the Amendment No. 6 be tabled, which motion failed.

Thereupon, Amendment No. 6 was adopted by the following vote:

Ayes	36
Noes	22
Present and not voting	20

Representatives voting aye were: Bell (Wilson), Bivens, Bragg, Brewer, Buck, Byrd, Crain, Davidson, Davis (Gibson), DePriest, Dills, Disspayne, Duncan, Ford, Gill, Hillis, Huskey, Kent, Kernell, King (Washington), Lashlee, Montgomery, Murphy (Davidson), Murray, Phillips, Pruitt, Robinson (Washington), Sir, Stafford, Stallings, Wallace, Wheeler, Whitson, Wolfe, Wood and Work--36.

Representatives voting no were: Baker, Carter, Covington, DeBerry, Gaia, Henry (Roane), Hudson, Hurley, Kelley, McAfee, Martin, Miller, Moore, Naifeh, Owen, Robertson, Robinson (Hamilton), Severance, Shirley, Sterling, Tanner and Turner--22.

Representatives present and not voting were: Akard, Bell (Knox), Bewley, Davis (Pickett), Duer, Ellis, Frensley, Harrill, Johnson,

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Jones, McNally, Percy, Rhinehart, Richardson, Shockley, Smith, Spence, Webb, Wix and Yelton--20.

Mr. Buck moved that House Bill No. 2137 be placed on the Calendar for Wednesday, March 31, 1982.

Mr. McKinney moved that the motion be tabled, which motion failed by the following vote:

Ayes	38
Noes	43
Present and not voting	1

Representatives voting aye were: Bell (Wilson), Bragg, Brewer, Burnett, Chiles, Covington, Davidson, DeBerry, DePriest, Disspayne, Ellis, Ford, Henry (Roane), Hudson, Huskey, Johnson, Kelley, King (Shelby), King (Washington), Love, McKinney, McNally, Martin, Murphy (Davidson), Murray, Naifeh, Owen, Pruitt, Rhinehart, Robinson (Washington), Smith, Stallings, Sterling, Tanner, Wallace, Wix, Wood and Mr. Speaker McWherter--38.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bivens, Buck, Byrd, Crain, Davis (Gibson), Davis (Pickett), Dills, Duer, Duncan, Frensley, Gaia, Gill, Harrill, Hillis, Hurley, Jones, Kent, Kurnell, Lashlee, McAfee, Miller, Montgomery, Phillips, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stafford, Turner, Webb, Whitson, Wolfe, Work and Yelton--43.

Representative present and not voting was: Percy--1.

Mr. Work moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 2137 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in counties having a population of

not less than	nor more than
30,000	30,100
15,100	15,200
9,650	9,750

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Phillips moved to amend as follows:

AMENDMENT NO. 8

Amend House Bill No. 2137 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 27, 900 nor more than 27, 920 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 9

Amend House Bill No. 2137 by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

Section _____. The provisions of this act shall not apply to the construction and operation of any public works projects located within the central business improvement districts in counties having a population in excess of 450,000 according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Martin moved to amend as follows:

AMENDMENT NO. 10

Amend House Bill No. 2137 by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

Section _____. The provisions of this act shall apply to the procurement of architect and engineering services for any public works projects.

Amendment No. 10 was adopted by the following vote:

Ayes	49
Noes	29
Present and not voting	3

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Representatives voting aye were: Akard, Baker, Bewley, Bivens, Byrd, Carter, Chiles, Cobb, Covington, Davis (Gibson), Duer, Ellis, Ford, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hudson, Huskey, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, McAfee, McNally, Martin, Montgomery, Moore, Percy, Pruitt, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Shockley, Sir, Stafford, Stallings, Sterling, Turner, Wallace, Webb, Whitson and Wolfe--49.

Representatives voting no were: Bell (Wilson), Bragg, Buck, Burnett, Crain, Davidson, Davis (Pickett), DeBerry, DePriest, Gaia, Hurley, Johnson, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Pickering, Rhinehart, Richardson, Severance, Smith, Tanner, Wheeler, Withers, Wix and Work--29.

Representatives present and not voting were: Dills, Spence and Wood--3.

Mr. King (Washington) moved to amend as follows:

AMENDMENT NO. 11

Amend House Bill No. 2137 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ . The provisions of this act shall not apply in counties having a population of

not less than	nor more than
54,375	54,475
88,700	88,800
50,175	50,275
41,400	41,500
28,750	28,800
24,590	24,600
16,700	17,800
6,875	6,975
16,360	16,450
77,700	77,800
28,500	28,560

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according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Pickering moved to amend as follows:

AMENDMENT NO. 12

Amend House Bill No. 2137 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in counties having a population of

not less than
88,300
6,825

nor more than
83,400
6,875

according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

Mr. Tanner moved that House Bill No. 2137 be placed on the Calendar for Wednesday, March 31, 1982, which motion prevailed.

House Bill No. 1709--To provide for guide dogs, certain persons.

On motion, House Bill No. 1709 was made to conform with Senate Bill No. 1895.

On motion, Senate Bill No. 1895, on same subject, was substituted for House Bill No. 1709.

Mr. Davis (Hamilton) moved that Senate Bill No. 1895 be passed on third and final consideration.

Mr. Richardson moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1895 by adding the following language to the end of the amendatory language of Section 1:

The Tennessee Council for the Hearing Impaired (TCHI) shall promulgate rules and regulations, in accordance with the provisions of the Uniform Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, to establish uniform criteria to govern application for and issuance of credentials by the TCHI for such dog guides for hearing impaired persons.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1895, as amended, passed its third and final consideration by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1616--To reverse the filing of certain civil actions, improper court.

Mr. Murphy (Shelby) moved that House Bill No. 1616 be passed on third and final consideration.

Ms. Bell (Knox) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1616 by deleting from the first sentence of subsection (a) of Section 1 the words "the court in which the action is filed shall notify the plaintiff of such fact" and substituting instead the words "any party to the action may, upon motion, bring such fact to the attention of the court."

FURTHER AMEND by deleting from the second sentence of subsection (a) of Section 1 the words "Upon receiving such notification" and substituting instead the words "When the court informs the plaintiff that his action is filed in the wrong court".

On motion, the amendment was adopted.

Thereupon, House Bill No. 1616, as amended, passed its third and final consideration by the following vote:

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Ayes	79
Noes	8
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wolfe, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Bewley, Chiles, Henry (Roane), Hudson, Scruggs, Stafford, Ussery and Wood--8.

Representatives present and not voting were: Bell (Knox), Duncan, Kent and Wix--4.

A motion to reconsider was tabled.

House Joint Resolution No. 345--Relative to students, higher education.

Mr. Robinson (Hamilton) moved that House Joint Resolution No. 345 be adopted.

Robinson (Hamilton) moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 345 by deleting the first resolving clause in its entirety and by substituting instead the following:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That we hereby urge the Tennessee Higher Education Commission to monitor the progress of black participation in higher education and with the University of Tennessee Board of Trustees and the State of Regents establish safeguards to prevent a loss of level in participation.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 345, as amended, was adopted by the following vote:

Ayes	92
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representative present and not voting was: Pickering--1.

A motion to reconsider was tabled.

House Joint Resolution No. 346--Relative to Tennessee International Trade Delegation.

Mr. Robinson (Hamilton) moved that House Joint Resolution No. 346 be adopted, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

House Bill No. 1440--To change qualifications for retirement, Group 2 members.

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Mr. Rhinehart moved that House Bill No. 1440 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	68
Noes	20
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Burnett, Carter, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Gaia, Gill, Harrill, Hillis, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Shockley, Sir, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Wheeler, Withers, Wood, Work, Yelton and Mr. Speaker McWherter--68.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Cobb, Davis (Pickett), Duncan, Ford, Frensley, Henry (Roane), Hudson, Hurley, King (Washington), Montgomery, Percy, Robinson (Washington), Severance, Smith, Webb, Whitson and Wolfe--20.

Representatives present and not voting were: Bragg, Byrd, Kent, Turner and Wix--5.

A motion to reconsider was tabled.

House Bill No. 1658--To regulate county payments, audit expenses.

On motion, House Bill No. 1658 was made to conform with Senate Bill No. 1809.

On motion, Senate Bill No. 1809, on same subject, was substituted for House Bill No. 1658.

Mr. Bragg moved that Senate Bill No. 1809 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	6

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bivens, Bragg, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt,

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Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Bewley, Brewer, Duncan, Harrill Stafford and Wolfe--6.

A motion to reconsider was tabled.

House Bill No. 1844--To regulate interest rates on life insurance policy loans.

On motion, House Bill No. 1844 was made to conform with Senate Bill No. 1529.

On motion, Senate Bill No. 1529, on same subject, was substituted for House Bill No. 1844.

Mr. Davis (Hamilton) moved that Senate Bill No. 1529 be passed on third and final consideration.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1529 by deleting the amendatory language in Section 4 and substituting instead the following:

The provisions of this act shall not apply to or in any way affect any insurance contract issued before the effective date of this act.

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1529 by adding a third subsection to Section 3(a) as follows:

(iii) No life insurer shall be permitted to issue policies containing variable rates of interest on policy loans pursuant to subsection 3(a)(ii) unless such insurer also makes available policies, which may or may not be on the same plan of insurance, with fixed rates of interest on policy loans pursuant to subsection 3(a)(i).

On motion, the amendment was adopted.

Mr. Love moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 1529 by deleting the amendatory language of section 6 in its entirety and substituting the following:

This act shall take effect July 1, 1982, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Carter asked to be recorded as voting "no" on Amendment No. 3.

Mr. Murray moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Murray moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1529, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representatives voting no were: Severance and Shirley--2.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 1651 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 245--Relative to congratulating Graceland Junior High School girls basketball team.

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Under the rules, Senate Joint Resolution No. 245 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 256--Relative to congratulating Coach David Russell and Bradford High School girls basketball team.

Under the rules, Senate Joint Resolution No. 256 was referred to the Committee on Calendar and Rules.

Mr. Rhinehart moved that action on House Bill No. 1457 be deferred until tomorrow, which motion prevailed.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 1521--To regulate retirement benefits, former governors.

Mr. McKinney moved that the House refuse recede from its action in adopting Amendment No. 1 to Senate Bill No. 1521, which motion prevailed.

On motion of Mr. Stafford, Senate Bill No. 2037 was recalled from the Senate for further consideration.

Mr. Yelton moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 404 out of order, which motion prevailed.

House Joint Resolution No. 404--Relative to Veterans Administration health care facilities--By Yelton, Kent, Clark (Davidson), Moore, Shockley, Hurley, Lashlee, Bivens, Miller, Hillis, Montgomery, Whitson, Akard, Harrill, King (Washington), Wheeler, Jared, Work, DePriest, Martin, Davidson, Covington, Brewer, Burnett, Sterling, King (Shelby), Shirley, DeBerry, Percy, Bewley, Robinson (Washington), Webb, Ford, Copeland, McAfee, Richardson, Clark (Sumner), Ussery, Huskey, Naifeh, Tanner, Wallace, Crain, Chiles, Sir, Owen, Henry (Roane), Robertson, Disspayne, Murphy (Shelby), Withers, Gaia, Wix, McKinney, Love, Robinson (Davidson), Ellis, Davis (Pickett), Wolfe, Pruitt, Murphy (Davidson), Cobb and Frensley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Yelton, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Crain moved that the rules be suspended for the purpose of considering House Bill No. 2314 out of order, which motion prevailed.

House Bill No. 2314--To provide for mayor, Brownsville.

Mr. Crain moved that House Bill No. 2314 be passed on third and final consideration.

Mr. Crain moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2314 by deleting the language "upon being approved as provided in Section 3" in Section 4 and by substituting instead the language "on July 1, 1982".

On motion, the amendment was adopted.

Thereupon, House Bill No. 2314, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

Mr. Crain moved that the rules be suspended for the purpose of considering House Bill No. 2315 out of order, which motion prevailed.

House Bill No. 2315--To amend road law, Haywood County.

Mr. Crain moved that House Bill No. 2315 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin,

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Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --92.

A motion to reconsider was tabled.

Mr. Crain moved that the rules be suspended for the purpose of considering House Bill No. 2316 out of order, which motion prevailed.

House Bill No. 2316--To regulate election, board of education, Haywood County.

Mr. Crain moved that House Bill No. 2316 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 403 out of order, which motion prevailed.

House Joint Resolution No. 403--Relative to congratulating Friendship High School basketball team--By Wallace, Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King

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(Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Ellis moved that the rules be suspended for the purpose of introducing House Resolution No. 119 out of order, which motion prevailed by the following vote:

Ayes	67
Noes	15
Present and not voting	3

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Miller, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Work and Yelton--67.

Representatives voting no were: Bell (Knox), Bewley, Chiles, Dills, Gill, Harrill, Kent, King (Washington), Robinson (Washington), Scruggs, Spence, Stafford, Webb, Wolfe and Wood--15.

Representatives present and not voting were: Duer, Shockely and Starnes--3.

House Resolution No. 119--Relative to Consumer Warranty Protection Act of 1982--By Ellis.

Mr. Ellis moved that House Resolution No. 119 be adopted, which motion prevailed by the following vote:

Ayes	83
Noes	4
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work and Yelton--83.

Representatives voting no were: Chiles, Harrill, King (Washington) and Robinson (Washington)--4.

Representative present and not voting was: Spence--1.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 401 out of order, which motion prevailed.

House Joint Resolution No. 401--Relative to honoring Miss Jacqueline Kay Smith--By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution were adopted.

A motion to reconsider was tabled.

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 400 out of order, which motion prevailed by the following vote:

Ayes	88
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley,

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Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative voting no was: Chiles--1.

House Joint Resolution No. 400--Relative to recess, House of Representatives--By Burnett.

Mr. Burnett moved that the rules be suspended for the purpose of considering House Joint Resolution No. 400 out of order, which motion prevailed by the following vote:

Ayes	79
Noes	2

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Carter, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Chiles and Kernell--2.

Mr. Burnett moved that House Joint Resolution No. 400 be adopted, which motion prevailed by the following vote:

Ayes	87
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representative voting no was: Chiles--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 77 that I plan to move Senate Bill No. 323 for passage, notwithstanding the objections of the Executive.

REP. JERRY JARED

Under the rules, the notice lies over.

TO: Honorable Ned R. McWherter, Speaker
House of Representatives
92nd General Assembly
State of Tennessee

PETITION

Requesting the Speaker of the House
of Representatives to call the House
back into session pursuant to Section 8
of Article II, of the Constitution of
Tennessee

We, the undersigned members of the 92nd General Assembly of the State of Tennessee, and members of the House of Representatives of such body, hereby petition the above presiding officer to call this body back into session in Knoxville upon similiar acton taken by the Senate, on the 12th day of May, 1982, at 10:00 a.m. o'clock for the purpose of conducting ceremonies to commemorate the first World's Fair ever held in Tennessee.

Thomas Burnett
Eugene E. Davidson
Randy McNally
Jerry A. Jared
John Chiles
Stephen Cobb
Roscoe Pickering
Walter M. Work
DePriest
Mayo Wix
Yelton
Joe Kent
Rufus Jones
Barry Sterling
David L. Ussery
Lincoln Davis

Bill Covington
Dick Clark
Mike Murphy (Davidson)
Elmer W. Disspayne
Martin
Brewer
Ray Clark (Sumner)
Hudson
David A. Shirley
Wheeler
Robb Robinson (Davidson)
Miller
Ed Murray
Joe W. Bell (Wilson)
Pam Gaia
Elbert Gill

Shirley Duer
 Frensley
 Byrd
 Wolfe
 Rhinehart
 J. M. Henry (Roane)
 Mike Robertson
 Owen
 James R. McKinney
 Harold M. Love
 Victor Ellis
 Loy Smith
 Bo Henry (Blount)
 Sharon Bell (Knox)
 Ray Johnson
 J. S. Tanner
 Robert Lewis King
 Larry Huskey
 Nathan Ford
 Bruce Hurley
 Frank P. Lashlee
 Ivory O. Hillis, Jr.
 Ray Davis (Gibson)
 Bob Percy
 Paul M. Starnes
 Lois DeBerry
 J. W. Spence
 Zane Whitson
 Dale Kelley
 Clyde Webb
 Jimmy Naifeh
 Steve Bivens

Clarence W. Phillips
 Don Dills
 Frank Buck
 Floyd H. Crain
 M. F. Stafford
 Harrill
 Akard
 Montgomery
 Alvin M. King
 Copeland
 McAfee
 Bill Richardson
 Paul Scruggs
 Bill Carter
 C. B. Robinson (Hamilton)
 J. B. Shockley
 Bobby Wood
 C. Severance
 Ruth Robinson (Washington)
 Joe L. Bewley
 Jimmy Wallace
 Martin Sir
 C. W. Pruitt
 U. A. Moore
 Michael Kernell
 Robert Stallings
 John Bragg
 Ira Murphy
 D. Teddy Withers
 Bob Davis (Hamilton)
 Chris Turner

SECOND ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 394--Relative to honoring Dr. Pierre Secher--By Martin, Sterling, Shirley, Moore, Kernell, Turner, Byrd, Small, Kent, Jones, Gaia, Gill, Withers and Spence.

Under the rules, House Joint Resolution No. 394 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 395--Relative to congratulating Coach Weiss and Sweetwater girls basketball team--By Harrill.

Under the rules, House Joint Resolution No. 395 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 396--Relative to congratulating Coach Arnold and University of Tennessee Chattanooga Moccasions--By McAfee, Davis, Carter, Wood, Starnes, Robinson (Hamilton) and Copeland.

Under the rules, House Joint Resolution No. 396 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 397--Relative to commending Jody Daniels--By Henry (Roane) and Duer.

Under the rules, House Joint Resolution No. 397 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 398--Relative to memory, Judge Lloyd G. McCluen--By Henry (Roane) and Duer.

Under the rules, House Joint Resolution No. 398 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2341--To regulate compensation, general sessions judge, Marion County--By Rhinehart.

Passed first consideration.

House Bill No. 2342--To regulate County Board of Education, Bledsoe County--By Rhinehart.

Passed first consideration.

House Bill No. 2343--To change inheritance tax law--By Henry (Roane).

Passed first consideration.

House Bill No. 2344--To regulate issuance of bonds, Centerville--By Work.

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Passed first consideration.

House Bill No. 2345--To provide for aldermen, Dyersburg--By Dills

Passed first consideration.

House Bill No. 2346--To create a juvenile court, Obion County--By Tanner.

Passed first consideration.

House Bill No. 2347--To regulate powers of city judge, Winchester
--By Murray.

Passed first consideration.

House Bill No. 2348--To create a juvenile court, Madison
County--By Baker and Wallace.

Passed first consideration.

House Bill No. 2349--To create a juvenile court, Gibson
County--By Davis (Gibson), Dills and Tanner.

Passed first consideration.

House Bill No. 2350--To change tax rate, Trenton School
District--By Davis (Gibson).

Passed first consideration.

House Bill No. 2351--To change tax rate, Bradford School
District--By Tanner and Davis (Gibson).

Passed first consideration.

House Bill No. 2352--To change tax rate, Gibson School
District--By Davis (Gibson) and Dills.

Passed first consideration.

House Bill No. 2353--To create a general sessions court, Stewart
County--By Lashlee.

Passed first consideration.

House Bill No. 2354--To amend Chapter 240, Private Acts, 1982--By
Pickering.

Passed first consideration.

House Bill No. 2355--To make certain provisions, Tullahoma--By
Johnson and Murray.

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Passed first consideration.

House Bill No. 2356--To regulate absentee voting--By Rhinehart, Jared and Wix.

Passed first consideration.

House Bill No. 2357--To elect Board of Mayor and commissioners, Cleveland--By Bivens and Webb.

Passed first consideration.

House Bill No. 2358--To compensate Board of Mayor and Commissioners, Cleveland--By Webb.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 959--To define scope, classified and unclassified service.

Passed first consideration.

Senate Bill No. 1485--To prohibit reflectorized windows, motor vehicles.

Passed first consideration.

Senate Bill No. 1556--To regulate assignment of school pupils.

Passed first consideration.

Senate Bill No. 1765--To regulate punishment, prostitution.

Passed first consideration.

Senate Bill No. 1766--To regulate certain educational programs, Meharry Medical College.

Passed first consideration.

Senate Bill No. 1770--To regulate local boards of education.

Passed first consideration.

Senate Bill No. 1879--To regulate Greene Valley Developmental Center Board of Trustees.

Passed first consideration.

Senate Bill No. 1880--To regulate Lakeshore Mental Health Institute Board of Trustees.

Passed first consideration.

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Senate Bill No. 1881--To regulate Department of Mental Health and Retardation Board of Trustees.

Passed first consideration.

Senate Bill No. 1890--To regulate Moccasin Bend Mental Health Institute Board of Trustees.

Passed first consideration.

Senate Bill No. 1891--To regulate Western Mental Health Institute Board of Trustees.

Passed first consideration.

Senate Bill No. 1892--To regulate Arlington Developmental Center Board of Trustees.

Passed first consideration.

Senate Bill No. 1893--To regulate Clover Bottom Developmental Center Board of Trustees.

Passed first consideration.

Senate Bill No. 1898--To regulate Middle Tennessee Mental Health Institute Board of Trustees.

Passed first consideration.

Senate Bill No. 1967--To provide specific fees authorized for sheriffs and constables.

Passed first consideration.

Senate Bill No. 2128--To amend Title 5, Chapter 7, Code.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2324--To amend Road Law, Van Buren County.

Passed second consideration and held without reference.

House Bill No. 2326--To regulate Morgan County School Board.

Passed second consideration and held without reference.

House Bill No. 2327--To make certain provisions, Morgan County School Board.

Passed second consideration and held without reference.

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House Bill No. 2328--To set salary of county executive, certain counties.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2329--To regulate probate jurisdiction, Greene County.

Passed second consideration and held without reference.

House Bill No. 2332--To amend charter, Lewisburg.

Passed second consideration and held without reference.

House Bill No. 2333--To provide funds, medically indigent, Obion County.

Passed second consideration and held without reference.

House Bill No. 2334--To authorize sale, real and personal property, certain counties.

Passed second consideration and held without reference.

House Bill No. 2335--To increase litigation tax, Lincoln County.

Passed second consideration and held without reference.

House Bill No. 2336--To provide for Board of Education, Covington.

Passed second consideration and held without reference.

House Bill No. 2337--To amend charter, Covington.

Passed second consideration and held without reference.

House Bill No. 2338--To make certain provisions, General Sessions Court, Carter County.

Passed second consideration and held without reference.

House Bill No. 2339--To amend Section 36-224, Code.

Passed second consideration and referred to Committee on Judiciary.

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House Bill No. 2340--To make certain provisions, regional planning commissions.

Passed second consideration and referred to Committee on Finance, Ways and Means.

STANDING COMMITTEE REPORTS

EDUCATION

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1540, 1724, 1835 (with amendment), 1903, 2088, 2089, 2139, 2187 (with amendment) and 2195 and further recommend that pursuant to House Rule No. 70, House Bill No. 2088, 2089 and 2187 (with amendment) be referred to the Committee on Finance, Ways and Means.

LASHLEE, Chairman.

Under the rules, House Bills Nos. 1540, 1724, 1835, 1903, 2139 and 2195 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 2088, 2089 and 2187 (with amendment) to the Committee on Finance, Ways and Means.

TRANSPORTATION

MR. SPEAKER: Your Committee on Transportation begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1579 (with amendment), 2145 and 2201 (with amendment).

ROBINSON (Davidson), Chairman.

Under the rules, House Bills Nos. 1579, 2145 and 2201 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 741, 1433 (with amendment), 1632 (with amendment), 1640 (with amendments), 1738 (with amendment), 1790, 1885, 1933, 1949, 2070, 2084 (with amendments), 2098, 2228, 2241 and 2291.

BRAGG, Chairman.

Under the rules, House Bills Nos. 741, 1433, 1632, 1640, 1738, 1790, 1885, 1933, 1949, 2070, 2084, 2098, 2228, 2241 and 2291 were transmitted to the Committee on Calendar and Rules.

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GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bill No. 2128 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bill No. 2128 (with amendment) be referred to the Committee on Finance, Ways and Means.

STARNES, Chairman.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 2128 to the Committee on Finance, Ways and Means.

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1677, 1681 (with amendment), 1701 (with amendment) and 1702.

DAVIS (Hamilton), Chairman.

Under the rules, House Bills Nos. 1677, 1681, 1701 and 1702 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 394, 876, 1485 (with amendment), 1527 (with amendment), 1548, 1671, 1672, 1742, 1788, 1827 (with amendment), 1854, 1856 (with amendment), 1927 (with amendment), 2055, 2093 (with amendment), 2100 (with amendment), 2160, 2235 and 2250.

MURPHY (Shelby), Chairman.

Under the rules, House Bills Nos. 394, 876, 1485, 1527, 1548, 1671, 1672, 1742, 1788, 1827, 1854, 1856, 1927, 2055, 2093, 2100, 2160, 2235 and 2250 were transmitted to the Committee on Calendar and Rules.

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 695 (with amendment), 697 (with amendments), 1393 (with amendment), 1586, 1726 (with amendment), 1728, 1731 (with amendment), 1803, 1895 (with amendments), 1938, 1971 (with amendments), 1991, 1992, 1993, 2008, 2034 (with amendment), 2074 (with amendment), 2076, 2078, 2092, 2102, 2106, 2111, 2210, 2252, 2253, 2257, 2276, 2280 and 2330 (with amendment); Senate Bill No. 1863 and House Resolution No. 107; and further recommend that pursuant to

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House Rule No. 70, House Bill No. 2111 be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 695, 697, 1393, 1586, 1726, 1728 1731, 1803, 1895, 1938, 1971, 1991, 1992, 1993, 2008, 2034, 2074, 2076, 2078, 2092, 2102, 2106, 2210, 2252, 2253, 2257, 2276, 2280, 2330; Senate Bill No. 1863 and House Resolution No. 107 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bill No. 2111 to the Committee on Finance, Ways and Means.

MILLER, Chairman.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1005, 1409, 1637 (with amendment), 1799 (with amendment), 2021, 2111 and 2197 (with amendment).

BRAGG, Chairman.

Under the rules, House Bills Nos. 1005, 1409, 1637, 1799, 2021, 2111 and 2197 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, March 25, 1982: House Bills Nos. 1299, 2191, 2116, House Joint Resolution No. 319, House Bills Nos. 1602, 2101, 1194, 1962, 1734, 2051, 100, 2262, 1525, 1874, 2030, 2032, 1880, 1837, 1187, 1106, 1820, 1772, 2244, 1972, 1988; Senate Bill No. 777, House Bills Nos. 1845, 2014, 2082, 2141, 2221, 1818, 2146, 2147, 1597, 1980, 2162 and 1708.

GILL, Chairman.

BILLS APPROVED BY DELAYED BILLS COMMITTEE

The Speaker announced that the following bills had been approved by the Delayed Bills Committee: House Bills Nos. 2328 and 2339.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1332, 1475, 1625, 1858, 1881, 2016, 2062, 2153, 2174, 2176, 2179,

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2214, 2220 and 2226; and House Joint Resolutions Nos. 305, 335, 349, 357, 367, 368, 369, 374 and 379, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1742--Jared

House Bill No. 2100--Cobb (prime)

SPONSOR REMOVED

On motion of Mr. Murphy (Davidson), his name was removed as sponsor of House Bill No. 2150.

MOTIONS

On motion of Mr. Wheeler, House Bill No. 2133 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Wheeler, House Bill No. 2133 was withdrawn from the House.

On motion of Mr. Dills, House Bill No. 1747 was recalled from the Committee on Judiciary.

On motion of Mr. Dills, House Bill No. 1747 was withdrawn from the House.

On motion of Mr. Rhinehart, House Bill No. 2282 was recalled from the Committee on State and Local Government.

On motion of Mr. Rhinehart, House Bill No. 2282 was referred to the Committee on Finance, Ways and Means.

On motion of Mr. Hurley, House Bill No. 2328 was recalled from the Committee on State and Local Government.

On motion of Mr. Hurley, House Bill No. 2328 was referred to the Committee on Finance, Ways and Means.

On motion of Mr. Stallings, House Bill No. 2245 was recalled from the Committee on General Welfare.

On motion of Mr. Stallings, House Bill No. 2245 was withdrawn from the House.

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On motion of Mr. Wallace, House Bill No. 1761 was recalled from the Committee on State and Local Government.

On motion of Mr. Wallace, House Bill No. 1761 was withdrawn from the House.

On motion of Mr. Wallace, House Bill No. 1099 was recalled from the Committee on State and Local Government.

On motion of Mr. Wallace, House Bill No. 1099 was withdrawn from the House.

On motion of Mr. Gill, House Bill No. 2193 was recalled from the Committee on Calendar and Rules..

On motion of Mr. Gill, House Bill No. 2193 was referred to the Committee on Finance, Ways and Means.

Mr. Kelley moved that the rules be suspended for the purpose of introducing House Bills Nos. 2370, 2371 and 2374, which motion prevailed.

INTRODUCTION OF BILLS

House Bill No. 2370--To authorize sale of certain property, McKenzie--By Kelley.

Passed first consideration.

House Bill No. 2371--To levy tax on lodgings, Dyersburg--By Dills.

Passed first consideration.

House Bill No. 2374--To provide trust fund for medically indigent, McKenzie--By Kelley.

Passed first consideration.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1396, 1440, 1504, 1575, 1616, 1739, 1900, 1904, 2045, 2054, 2056, 2059, 2150, 2171, 2205, 2314, 2315 and 2316; and House Joint Resolutions Nos. 345, 346, 347, 399, 400,

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401, 403 and 404; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Burnett, the House adjourned until 10:00 a.m., tomorrow.